



NEBRASKA PATHFINDERS

CITY COUNCIL MEETING

October 14, 2014

City Council Chambers 400 East Military, Fremont NE

STUDY SESSION – 6:45 P.M.

MEETING – 7:00 P.M.

AGENDA

1. Meeting called to order
2. Roll call
3. Mayor comments (There will be no discussion from the Council or the public regarding comments made by the Mayor. Should anyone have questions regarding the comments, please contact the Mayor after the meeting)

PUBLIC HEARINGS AND RELATED ACTION:

CONSENT AGENDA: All items in the consent agenda are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member or a citizen so requests, in which event the item will be removed from the consent agenda and considered separately.

4. Dispense with reading of and approve September 30, 2014 [minutes](#)
5. October 1 – October 14, 2014 [claims \(staff report\)](#)
6. [Resolution](#) to consume alcohol on city property for Luis [Garcia](#), City Auditorium, August 1, 2015, birthday; Lexi [Kimball](#), Christensen Field, March 12, 2016, wedding reception; Mirely [Pena](#), Christensen Field, September 5, 2015, Quinceñera [\(staff report\)](#)
7. [Resolution](#) approving [MainStreet](#) of Fremont to close Schwesers Parking lot and use three parking spaces for annual Christmas walk November 28, 2014 [\(staff report\)](#)
8. [Resolution](#) approving Outside Fire contracts [\(staff report\)](#)
9. [Report](#) of the Treasury [\(staff report\)](#)
10. [Resolution](#) approving Archbishop Bergan School [request](#) to close 4th Street from C to Union on November 21, 2014 for Knight Event Dinner Auction [\(staff report\)](#)
11. Cement worker license [application](#) for Larry Ryba and Ryba Construction [\(staff report\)](#)
12. Moonshine Hole LLC dba L.A. Fireproof Door request permission for an [addition](#) to premise at 325 North Main [\(staff report\)](#)
13. Country Builders LLC [request](#) to connect to City water at 460 West 52nd St (Lot 1, Blk 2, J&L Subdivision) [\(staff report\)](#)
14. Reappoint Stan Darling to the Housing Agency Board [\(staff report\)](#)
15. Appoint Dr. Richard Seitz as City Physician [\(staff report\)](#)

AGENDA

CONSENT AGENDA CONTINUED:

16. Set City Council meeting of November 11, 2014 [\(staff report\)](#)

REGULAR AGENDA: requires individual associated action.

17. Second reading of [Ordinance](#) to amend Zoning Ordinance 3939, Article 2, pertaining to the definition of Home Base Business/Home Occupation [\(staff report\)](#)

18. Second reading of [Ordinance](#) to amend Zoning Ordinance 3939, Article 4, pertaining to permitted uses as they relate to Home Based Businesses and Home Occupations [\(staff report\)](#)

19. Second reading of [Ordinance](#) to amend Zoning Ordinance 3939, Article 6, pertaining to Section 611, Supplemental Use Regulations: Accessory Uses part a. Home-Based Businesses/Home Occupations [\(staff report\)](#)

20. Appointment of six members to the Board of Adjustment [\(staff report\)](#)

21. Adjournment

Agenda posted at the Municipal Building on October 10, 2014 and online at www.fremontne.gov. Agenda distributed to the Mayor and City Council on October 10, 2014. The official current copy is available at City Hall, 400 East Military, City Clerk's Office. The City Council reserves the right to go into Executive Session at any time. A copy of the Open Meeting Law is posted in the City Council Chambers for review by the public. The City of Fremont reserves the right to adjust the order of items on this agenda.

CITY COUNCIL MEETING
September 30, 2014, 7:00 p.m. (draft)

The Mayor called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Stange, Bixby, Navarrette, Hoppe, Kuhns, Eairleywine, Johnson and Anderson present – 8 present, 0 absent.

Moved by Council Member Eairleywine, seconded by Council Member Navarrette to open the public hearing on the Comprehensive Revitalization Supplemental 2014 Grant Application. Roll call vote: 8 ayes. Motion carried.

Jean Kaup Van Iperen, Office Services Associate, City of Fremont, stated the Nebraska Department of Economic Development had funds left over from a prior CR grant program and are therefore offering a supplemental program that Fremont qualifies to apply for. She stated the original target area of Hancock Street did not qualify as it did not benefit an area that is over 51% low to moderate income level. The City was allowed to use street improvements on 6th Street from M to Marvin thus the grant application budget would be revised down to \$166,500 in CDBG funds for street improvements, with \$83,500 local matching funds provided by the City. Ms. Van Iperen stated the grant administration funds would be \$18,500 from the CDBG funds bringing the total grant amount to \$268,500 with CDBG funds. The City's \$83,500 match is for a street that was originally budgeted for in the 1&6 Year Street Plan.

Council Member Navarrette inquired if Northeast Nebraska Economic Development District made the initial calculation for low to moderate income.

Jean Kaup Van Iperen stated the US Census Bureau just recently changed the LMI classifications in September and a lot of percentages changed from the target area. She stated some of the areas that were 51% went to 63% and some areas that were 47% went down to 26%. She further stated she was not sure how the Census came up with the numbers or if populations just shifted into sections but the shifts did affect target areas.

Moved by Council Member Anderson, seconded by Council Member Johnson to close the public hearing on the Comprehensive Revitalization Supplemental 2014 Grant Application. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Bixby, seconded by Council Member Kuhns to approve Resolution No. 2014-191 authorizing the Mayor to sign 14CR Supplemental Community Development Block Grant Funds application. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Bixby, seconded by Council Member Anderson to open the public hearing on the Community Development Block Grant 11CR003 Comprehensive Revitalization Project. Roll call vote: 8 ayes. Motion carried.

There being no testimony, moved by Council Member Navarrette, seconded by Council Member Bixby to close the public hearing. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Kuhns, seconded by Council Member Stange to open the public hearing for the 2014 Land and Water Conservation Fund Grant application for putting restrooms in John C. Fremont Park. Roll call vote: 8 ayes. Motion carried.

Steve Dahl, 521 East 5th Street, inquired why the restroom wasn't being built downtown and who will be in charge of taking care of them.

Parks Director Dan Seder stated the City is looking for doing some improvements in John C Fremont Park.

City Administrator Dale Shotkoski stated city staff is actively looking for grants where there are planned improvements at a city facility to help with the cost. He stated this grant had a public land requirement and a public use requirement. John C Fremont Park has playground equipment and little kids going to the park. The restrooms would be a permanent fixture with the Parks Department maintaining them.

Jean Kaup Van Iperen, Office Services Associate, also stated the grant required public land use. She stated a survey was completed on the Fremont Parks. Responses from the survey showed John C Fremont Park is the second most highly used park in the city behind Clemmons and that over 300 people responded with a request for a bathroom in the park. The cost of the project is estimated at \$120,000 with a \$60,000 match. Ms. Van Iperen stated she contacted MainStreet of Fremont, Fremont and Dodge County Convention and Visitors Bureau, John C Fremont Days Incorporated and the Downtown District group to see if they would be willing to assist with thematch.

Moved by Council Member Stange, seconded by Council Member Johnson to close the public hearing for the 2014 Land and Water Conservation Fund Grant application for restrooms in John C. Fremont Park. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Hoppe, seconded by Council Member Johnson to approve Resolution No. 2014-192 approving 2014 Land and Water Conservation Fund Grant application for restrooms in John C. Fremont Park. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Kuhns to approve the consent agenda. Roll call vote: 8 ayes. Motion carried.

- Dispense with reading of and approve September 9, 2014 minutes
- September 10 – September 30, 2014 claims
- Excavation license application for Michael Moeller & Great Plains Communication and Chris Wulf & Great Plains Communication and Robert Marksmeier and Great Plains Communication
- Resolution No. 2014-193 approving agreement with Tutor.com for Keene Memorial Library
- Resolution No. 2014-194 assessing nuisance lien against 1233 E 18th, owner: Steve & Cindy Kelsey
- Resolution No. 2014-195 assessing nuisance lien against 210 W 23rd, owner: Maple Holdings LLC

- Resolution No. 2014-196 assessing nuisance lien against 725 E Military, owner: Bank of New York Mellon
- Receive and file reports from Keep Fremont Beautiful as required by service agreement
- Resolution No. 2014-197 approving Special Designated Permit application for Moonshine Hole LLC, 1730 Christensen Field Road, November 1, 2014, dance, reception; Burtonian Enterprise LLC, 1682 East 23rd Avenue North, October 4, 2014, fund raiser; DeSauce Development, 1710 West 16th, October 9, 2014, reception; Jack Barta, 1750 E Military, October 18, 2014, other; Jack Barta, East 10th Street, October 17, 2014, reception Rise's Drive - In Liquor Inc., RR #1, October 17&18, 2014, beer garden
- Resolution No. 2014-198 to consume alcohol on city property for Brandon Wolfe, City Auditorium, January 10, 2015, wedding reception; Maria Castro, City Auditorium, May 30, 2015, birthday; Ashley Rector, City Auditorium, August 29, 2015, wedding reception
- Resolution No. 2014-199 to accept and award bid to American Fence Company in the amount of \$54,677.70 for well field chain link fence project
- Cement license application of Russell Zuroski and JDM Concrete Inc.
- Resolution No. 2014-200 approving Dodge County Mutual Aid Interlocal Agreement
- Resolution No. 2014-201 designating City Administrator and Human Resource Director as Trustees for City of Fremont Deferred Compensation Fund (457-b)
- Resolution No. 2014-202 to approve the request of Arlyn Ploen to re-plat part of Sampson's Addition, Block F into a single lot
- Resolution No. 2014-203 to approve the request of Borisow Homes LLC to re-plat of Central Park Addition, Lot 5, Block 3 into two lots
- Resolution No. 2014-204 to concur with and approve dedication of permanent easement by Midland University for construction of round-about at East 10th Street and North Logan and rescind Resolution No. 2014-115
- Commitment of fund balance for Immigration Ordinance Defense and implementation/enforcement
- Balance Sheet by Fund and Statements of Revenues & Expenditures
- Application for Reconstruction from MLB Team LLC dba The Quick Spot, 740 N Davenport

Moved by Council Member Kuhns, seconded by Council Member Navarrette to approve the request of Fremont/Bergan Post Prom Committee for fee waiver of approximately \$907.50 at Christensen Field from April 24 thru 26, 2014 for post prom event. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Anderson, seconded by Council Member Hoppe to accept and file documents as presented by Judy's Beauty Cove, 2107 North Clarkson. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Bixby, seconded by Council Member Hoppe to introduce an Ordinance to amend Zoning Ordinance 3939, Article 2, pertaining to the definition of Home Base Business/Home Occupation. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an Ordinance to amend Zoning Ordinance 3939, Article 2, pertaining to the definition of Home Base Business/Home Occupation. The second reading will be at the next regular Council meeting.

Moved by Council Member Kuhns, seconded by Council Member Stange to introduce an Ordinance to amend Zoning Ordinance 3939, Article 4, pertaining to permitted uses as they relate to Home Based Businesses and Home Occupations. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an Ordinance to amend Zoning Ordinance 3939, Article 4, pertaining to permitted uses as they relate to Home Based Businesses and Home Occupations. The second reading will be at the next regular Council meeting.

Moved by Council Member Bixby, seconded by Council Member Kuhns to amend the Ordinance amending Zoning Ordinance 3939, Article 4, pertaining to permitted uses as they relate to Home Based Businesses and Home Occupations by including R1 districts as conditional use permits for home based occupations. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Stange to introduce an Ordinance to amend Zoning Ordinance 3939, Article 6, pertaining to Section 611, Supplemental Use Regulations: Accessory Uses part a. Home-Based Businesses/Home Occupations. Roll call vote: 8 ayes. Motion carried.

The City Clerk gave the first reading, by title only, of an Ordinance to amend Zoning Ordinance 3939, Article 6, pertaining to Section 611, Supplemental Use Regulations: Accessory Uses part a. Home-Based Businesses/Home Occupations. The second reading will be at the next regular Council meeting.

Moved by Council Member Hoppe, seconded by Council Member Navarrette to approve Change Order #2 in the amount of \$30,335.08 to Steve Harris Construction for 2013 West Military Widening, Pierce to Ridge Road. Roll call vote: 8 ayes. Motion carried.

The Mayor announced the next meeting would be October 14, 2014 at 7:00 p.m.

Moved by Council Member Bixby, seconded by Council Member Anderson to adjourn the meeting. Roll call vote: 8 ayes. Motion carried. Meeting adjourned at 7:54 p.m.

I, Kimberly Volk, the undersigned City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Kimberly Volk, MMC, City Clerk

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Jody Sanders, Director of Finance

DATE: October 9, 2014

SUBJECT: Claims

Recommendation: Move to approve October 1 through 14, 2014 claims and authorize checks to be drawn on the proper accounts.

Background: Council will review claims via email October 13, 2014.

Fiscal Impact: Claims total \$980,093.43.

#5

PREPARED 09/30/2014, 14:53:20
PROGRAM: GM339L
City of Fremont
Employee Benefits

EXPENDITURE APPROVAL LIST
AS OF: 09/30/2014 CHECK DATE: 09/30/2014

PAGE 1

BANK: 01

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0005708	00	REGIONAL CARE INC						
09/29/14	MANUAL	000842	01	09/29/2014	060-0660-441.70-01	09/29/14 AUTO CLAIMS	CHECK #: 100560	1,443.35
						VENDOR TOTAL *	.00	1,443.35
			01	Employee Benefits		BANK TOTAL *	.00	1,443.35
						HAND ISSUED TOTAL ***		1,443.35
						TOTAL EXPENDITURES ****	.00	1,443.35
					GRAND TOTAL	*****		1,443.35

Prepared 10/07/14, 11:09:29
Pay Date 10/09/14
Primary FIRST NATIONAL BANK

CITY of FREMONT
Direct Deposit Register

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Program PR530L

Account Number	Employee Name	Social Security	Deposit Amount
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Final Total	204,997.46	Count	217
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PREPARED 10/08/2014, 9:32:41
 PROGRAM: GM339L
 City of Fremont
 General Fund

EXPENDITURE APPROVAL LIST
 AS OF: 10/09/2014 CHECK DATE: 10/08/2014
 BANK: 00

PAGE 1

VEND NO INVOICE NO	SEQ#	VENDOR NAME VOUCHER P.O. NO NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0006318 20141009	00	ACSI PR1009	00	10/09/2014	001-0000-201.00-00	PAYROLL SUMMARY	229.44	
						VENDOR TOTAL *	229.44	
0000584 20141009	00	CEI PR1009	00	10/09/2014	001-0000-201.00-00	PAYROLL SUMMARY	EFT:	16,716.04
						VENDOR TOTAL *	.00	16,716.04
0004234 20141009	00	DEPARTMENT OF UTILITIES C S PR1009	00	10/09/2014	001-0000-201.00-00	PAYROLL SUMMARY	EFT:	1,726.92
						VENDOR TOTAL *	.00	1,726.92
0005193 20141009	00	DEPARTMENT OF UTILITIES PAYROLL PR1009	00	10/09/2014	001-0000-201.00-00	PAYROLL SUMMARY	EFT:	49,954.07
						VENDOR TOTAL *	.00	49,954.07
0004629 20141009	00	INTERNAL REVENUE SERVICE **EFT** PR1009	00	10/09/2014	001-0000-201.00-00	PAYROLL SUMMARY	68,869.98	
						VENDOR TOTAL *	68,869.98	
0005477 20141009	00	LAUGHLIN TRUSTEE, KATHLEEN A PR1009	00	10/09/2014	001-0000-201.00-00	PAYROLL SUMMARY	370.00	
						VENDOR TOTAL *	370.00	
0005513 20141009	00	UNITED STATES TREASURY - PR PR1009	00	10/09/2014	001-0000-201.00-00	PAYROLL SUMMARY	50.00	
						VENDOR TOTAL *	50.00	
		00 General Fund				BANK TOTAL *	69,519.42	68,397.03

PREPARED 10/08/2014, 9:32:41
 PROGRAM: GM339L
 City of Fremont
 Employee Benefits

EXPENDITURE APPROVAL LIST
 AS OF: 10/09/2014 CHECK DATE: 10/08/2014

PAGE 2

BANK: 01

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0005708	00	REGIONAL CARE INC						
10/01/14	MANUAL000002		01	10/01/2014	060-0660-441.70-03	10/01/14 ADMIN FEES	CHECK #: 100562	6,405.50
10/01/14	MANUAL000003		01	10/01/2014	060-0660-441.70-02	10/01/14 REINSURANCE	CHECK #: 100562	58,420.24
10/01/14	MANUAL000004		01	10/01/2014	060-0660-441.70-05	10/01/14 PPO	CHECK #: 100562	1,370.00
10/01/14	MANUAL000005		01	10/01/2014	060-0660-441.70-01	10/01/14 MANUAL CLAIMS	CHECK #: 100561	52,322.48
10/06/14	MANUAL000007		01	10/06/2014	060-0660-441.70-01	10/06/14 AUTO CLAIMS	CHECK #: 100564	1,070.61
VENDOR TOTAL *							.00	119,588.83
0003405	00	WORKERS' COMPENSATION FUND						
10/02/14	MANUAL000006		01	10/02/2014	061-0000-101.12-00	SEPT 14 ACTIVITY	CHECK #: 100563	18,733.69
VENDOR TOTAL *							.00	18,733.69
01 Employee Benefits							BANK TOTAL *	.00
								138,322.52
							HAND ISSUED TOTAL ***	138,322.52
							EFT/EPAY TOTAL ***	68,397.03
GRAND TOTAL							TOTAL EXPENDITURES ****	206,719.55
							69,519.42	276,238.97

CITY OF FREMONT
ELECTRONIC WITHDRAWAL LIST

FOR CITY COUNCIL MEETING: 10/14/14

AJ GROUP NO	VENDOR NAME	WITHDRAWAL DATE	ACCOUNT NO	ITEM DESCRIPTION	WITHDRAWAL AMOUNT
46	TSYS MERCHANT SOLUTIONS	10/03/14	001-1003-415.20-99	CREDIT CARD FEES	75.00
46	TSYS MERCHANT SOLUTIONS	10/03/14	001-1003-415.20-99	CREDIT CARD FEES	185.24
46	TSYS MERCHANT SOLUTIONS	10/03/14	001-2029-451.20-99	CREDIT CARD FEES	31.47
46	TSYS MERCHANT SOLUTIONS	10/03/14	001-2042-440.20-99	CREDIT CARD FEES	9.92
TOTAL EXPENDITURES					301.63

PREPARED 10/09/2014, 10:51:44
 PROGRAM: GM339L
 City of Fremont
 General Fund

EXPENDITURE APPROVAL LIST
 AS OF: 10/15/2014 CHECK DATE: 10/15/2014

PAGE 1

BANK: 00

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE		VOUCHER P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO		NO NO						AMOUNT
0000959	00	ACE HARDWARE						
81993/3		PI0001 028760 00	10/15/2014	001-1004-424.30-33	BLANKET PURCHASE ORDER		43.95	
82241/3		PI0002 028760 00	10/15/2014	001-1209-421.30-49	BLANKET PURCHASE ORDER		14.47	
82368/3		PI0006 028760 00	10/15/2014	001-2027-452.30-32	BLANKET PURCHASE ORDER		27.96	
82399/3		PI0117 028760 00	10/15/2014	001-2027-452.30-49	BLANKET PURCHASE ORDER		33.45	
82258/3		PI0003 028760 00	10/15/2014	012-2025-431.30-32	BLANKET PURCHASE ORDER		15.94	
82258/3		PI0004 028760 00	10/15/2014	012-2025-431.30-49	BLANKET PURCHASE ORDER		3.98	
82258/3		PI0005 028760 00	10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER		13.20	
					VENDOR TOTAL *		152.95	
0006353	00	ADVANCE SERVICES INC						
311439		PI0091 029633 00	10/15/2014	001-1305-430.20-99	BLANKET PURCHASE ORDER		580.00	
					VENDOR TOTAL *		580.00	
0002996	00	ALL MAKES OFFICE EQUIP CO						
56664		PI0293 030615 00	10/15/2014	001-2031-455.20-60	GENERAL		271.60	
56664		PI0294 030615 00	10/15/2014	001-2031-455.30-79	GENERAL		2,404.00	
					VENDOR TOTAL *		2,675.60	
0000965	00	ALL SYSTEMS LLC						
63548		PI0114 030627 00	10/15/2014	001-2029-451.20-60	GENERAL		645.00	
63548		PI0115 030627 00	10/15/2014	001-2029-451.30-49	GENERAL		645.00	
					VENDOR TOTAL *		1,290.00	
0001773	00	ALL-TEX SECURITY INC						
982		PI0316 030601 00	10/15/2014	001-2031-455.20-99	BLANKET PURCHASE ORDER		75.00	
983		PI0317 030601 00	10/15/2014	001-2031-455.20-99	BLANKET PURCHASE ORDER		75.00	
					VENDOR TOTAL *		150.00	
9999999	00	ALLSTATE INSURANCE						
043014		ALLSTATE000854	00 10/15/2014	001-1206-342.02-00	043014 LARRY HENKES		391.00	
					VENDOR TOTAL *		391.00	
0006169	00	AMERICAN BROADBAND INTERNET						
51514 1014		PI0304 030673 00	10/15/2014	001-1011-419.20-12	BLANKET PURCHASE ORDER		175.00	
					VENDOR TOTAL *		175.00	
9999999	00	ANDERSON, MEGHAN						
109106		ANDERSON000861	00 10/15/2014	001-0000-202.04-00	MEGHAN ANDERSON/COMM ROOM		50.00	
					VENDOR TOTAL *		50.00	
9999999	00	ANKERSEN, CAYLIE						
109107		ANKERSEN000862	00 10/15/2014	001-0000-202.04-00	CAYLIE ANKERSEN/C AUD DEP		200.00	
					VENDOR TOTAL *		200.00	
0000982	00	ARMS & AMMO SPORTING GOODS						
53115		PI0216 030612 00	10/15/2014	001-1209-421.30-68	GENERAL		1,825.00	
					VENDOR TOTAL *		1,825.00	

PREPARED 10/09/2014, 10:51:44
 PROGRAM: GM339L
 City of Fremont
 General Fund

EXPENDITURE APPROVAL LIST
 AS OF: 10/15/2014 CHECK DATE: 10/15/2014
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VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0000983	00	ARPS RED-E-MIX INC						
7789		PI0007 028762 00	10/15/2014		012-2025-431.30-69	BLANKET PURCHASE ORDER	1,860.50	
7859		PI0008 028762 00	10/15/2014		012-2025-431.30-69	BLANKET PURCHASE ORDER	247.00	
7923		PI0009 028762 00	10/15/2014		012-2025-431.30-69	BLANKET PURCHASE ORDER	574.00	
7822		PI0118 028762 00	10/15/2014		012-2025-431.30-69	BLANKET PURCHASE ORDER	394.00	
7873		PI0119 028762 00	10/15/2014		012-2025-431.30-69	BLANKET PURCHASE ORDER	185.00	
7995		PI0120 028762 00	10/15/2014		012-2025-431.30-69	BLANKET PURCHASE ORDER	206.00	
						VENDOR TOTAL *	3,466.50	
0002954	00	ASPHALT AND CONCRETE MATERIALS CO						
00040478		PI0084 028971 00	10/15/2014		012-2025-431.30-69	FIELD PURCHASE ORDER	816.99	
						VENDOR TOTAL *	816.99	
0006160	00	ASSOCIATED FIRE PROTECTION						
68700		PI0254 030639 00	10/15/2014		001-2031-455.20-99	GENERAL	321.00	
						VENDOR TOTAL *	321.00	
0003298	00	AUTOZONE INC						
1652821156		PI0260 030471 00	10/15/2014		001-1209-421.30-44	BLANKET PURCHASE ORDER	96.00	
1652819750		PI0121 028763 00	10/15/2014		001-2042-440.30-56	BLANKET PURCHASE ORDER	7.12	
						VENDOR TOTAL *	103.12	
0006413	00	AVI SYSTEMS INC						
41317303		PI0333 030172 00	10/15/2014		001-1001-413.40-99	FIELD PURCHASE ORDER	24,308.00	
						VENDOR TOTAL *	24,308.00	
0002763	00	BAKER & TAYLOR BOOKS						
5013299060		PI0139 028831 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	40.52	
5013309080		PI0225 028831 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	132.81	
5013309316		PI0226 028831 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	47.27	
2029808477		PI0314 030568 00	10/15/2014		001-2031-455.30-51	GENERAL	256.63	
2029811509		PI0315 030568 00	10/15/2014		001-2031-455.30-51	GENERAL	59.07	
2029794224		PI0324 028831 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	49.21	
5013216096		PI0325 028831 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	132.66	
						VENDOR TOTAL *	718.17	
0003423	00	BAKER & TAYLOR ENTERTAINMENT						
M50890920		PI0140 028832 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	71.75	
M51447760		PI0141 028832 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	142.65	
M51918450		PI0142 028832 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	42.20	
M52377400		PI0227 028832 00	10/15/2014		001-2031-455.30-51	BLANKET PURCHASE ORDER	43.05	
						VENDOR TOTAL *	299.65	
0001642	00	BARONE SECURITY SYSTEMS						
RMR956619		PI0308 030686 00	10/15/2014		001-2026-451.20-65	GENERAL	152.04	
						VENDOR TOTAL *	152.04	
0004311	00	BAUER BUILT INC						
880033595		PI0012 028764 00	10/15/2014		001-1015-415.20-60	BLANKET PURCHASE ORDER	8.50	

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VEND NO	SEQ#	VENDOR NAME							EFT, EPAY OR
INVOICE NO		VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	HAND-ISSUED AMOUNT
0004311	00	BAUER BUILT INC							
880033595		PI0013	028764	00	10/15/2014	001-1015-415.30-63	BLANKET PURCHASE ORDER	4.50	
880033660		PI0112	030625	00	10/15/2014	001-1209-421.20-60	FIELD PURCHASE ORDER	44.00	
880033660		PI0113	030625	00	10/15/2014	001-1209-421.30-63	FIELD PURCHASE ORDER	497.72	
880033593		PI0010	028764	00	10/15/2014	001-2027-452.20-60	BLANKET PURCHASE ORDER	10.00	
880033593		PI0011	028764	00	10/15/2014	001-2027-452.30-56	BLANKET PURCHASE ORDER	18.06	
880033874		PI0261	030472	00	10/15/2014	012-2025-431.20-60	BLANKET PURCHASE ORDER	8.50	
880033874		PI0262	030472	00	10/15/2014	012-2025-431.30-63	BLANKET PURCHASE ORDER	4.50	
							VENDOR TOTAL *	595.78	
9999999	00	BELLEVUE PUBLIC LIBRARY							
100314		000012		00	10/15/2014	001-2031-334.00-00	RUNES OF THE EARTH/LST BK	27.00	
							VENDOR TOTAL *	27.00	
9999999	00	BELLEVUE UNIVERSITY LIBRARY							
100314		000011		00	10/15/2014	001-2031-334.00-00	AGAINST ALL THINGS/LST BK	27.70	
							VENDOR TOTAL *	27.70	
0000994	00	BIG B'S COPIES							
107358		PI0014	028765	00	10/15/2014	001-1013-432.30-31	BLANKET PURCHASE ORDER	14.00	
							VENDOR TOTAL *	14.00	
0006031	00	BLACK STRAP INC							
101042		PI0094	030221	00	10/15/2014	012-2025-431.30-32	FIELD PURCHASE ORDER	1,525.40	
21860		PI0095	030221	00	10/15/2014	012-2025-431.30-32	FIELD PURCHASE ORDER	1,626.90	
							VENDOR TOTAL *	3,152.30	
0005162	00	BLT PLUMBING HEATING & A/C INC							
9502		PI0180	029155	00	10/15/2014	001-1206-422.20-60	BLANKET PURCHASE ORDER	115.00	
9466		PI0088	029155	00	10/15/2014	001-1209-421.20-60	BLANKET PURCHASE ORDER	50.00	
9486		PI0089	029155	00	10/15/2014	001-1209-421.20-60	BLANKET PURCHASE ORDER	100.00	
9486		PI0090	029155	00	10/15/2014	001-1209-421.30-49	BLANKET PURCHASE ORDER	173.01	
9522		PI0181	029155	00	10/15/2014	001-1209-421.20-60	BLANKET PURCHASE ORDER	50.00	
9522		PI0182	029155	00	10/15/2014	001-1209-421.20-95	BLANKET PURCHASE ORDER	25.00	
							VENDOR TOTAL *	513.01	
0004035	00	BOMGAARS SUPPLY INC							
1688885		PI0017	028766	00	10/15/2014	001-1206-422.30-32	BLANKET PURCHASE ORDER	30.00	
1685417		PI0016	028766	00	10/15/2014	012-2025-431.30-79	BLANKET PURCHASE ORDER	20.97	
1688885		PI0018	028766	00	10/15/2014	012-2025-431.30-32	BLANKET PURCHASE ORDER	84.95	
1688885		PI0019	028766	00	10/15/2014	012-2025-431.30-33	BLANKET PURCHASE ORDER	34.16	
1689129		PI0020	028766	00	10/15/2014	012-2025-431.30-56	BLANKET PURCHASE ORDER	151.68	
1689189		PI0021	028766	00	10/15/2014	012-2025-431.30-56	BLANKET PURCHASE ORDER	119.82	
1690251		PI0122	028766	00	10/15/2014	012-2025-431.30-32	BLANKET PURCHASE ORDER	37.99	
1690401		PI0263	030474	00	10/15/2014	012-2025-431.30-33	BLANKET PURCHASE ORDER	129.99	
1690401		PI0264	030474	00	10/15/2014	012-2025-431.30-52	BLANKET PURCHASE ORDER	9.99	
1690749		PI0265	030474	00	10/15/2014	012-2025-431.30-33	BLANKET PURCHASE ORDER	25.99	

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0003427	00	BRODART CO							
B3649769		PI0143	028835	00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	142.15	
B3649776		PI0144	028835	00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	21.47	
B3656638		PI0145	028835	00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	368.68	
B3656646		PI0228	028835	00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	39.33	
B3665502		PI0312	030567	00	10/15/2014	001-2031-455.30-51	GENERAL	238.98	
B3665509		PI0313	030567	00	10/15/2014	001-2031-455.30-51	GENERAL	91.72	
							VENDOR TOTAL *	902.33	
0000584	00	CEI							
OCT 14 WC		000013		00	10/15/2014	001-1015-415.10-26	OCT 14 WC	EFT:	19,468.00
OCT 14 WC		000014		00	10/15/2014	012-2025-431.10-26	OCT 14 WC	EFT:	1,054.67
							VENDOR TOTAL *	.00	20,522.67
0002675	00	CENTURYLINK (QWEST)							
4027211613	0914	PI0152	028870	00	10/15/2014	001-1011-419.20-12	BLANKET PURCHASE ORDER	212.88	
4027272664	0914	PI0156	028870	00	10/15/2014	001-1011-419.20-12	BLANKET PURCHASE ORDER	109.82	
4027538697	1014	PI0338	030514	00	10/15/2014	001-1011-419.20-12	BLANKET PURCHASE ORDER	81.94	
4027272720	0914	PI0157	028870	00	10/15/2014	001-1013-432.20-12	BLANKET PURCHASE ORDER	16.33	
4027272630	0914	PI0154	028870	00	10/15/2014	001-1015-415.20-12	BLANKET PURCHASE ORDER	1,429.67	
4027279926	0914	PI0159	028870	00	10/15/2014	001-1015-415.20-12	BLANKET PURCHASE ORDER	44.04	
402D250330	1014	PI0336	030514	00	10/15/2014	001-1015-415.20-12	BLANKET PURCHASE ORDER	80.76	
402D254115	1014	PI0337	030514	00	10/15/2014	001-1206-422.20-12	BLANKET PURCHASE ORDER	85.56	
4027272630	0914	PI0155	028870	00	10/15/2014	012-2025-431.20-12	BLANKET PURCHASE ORDER	41.56	
4027279135	0914	PI0158	028870	00	10/15/2014	029-2034-466.20-12	BLANKET PURCHASE ORDER	90.62	
							VENDOR TOTAL *	2,193.18	
0001021	00	CHARLESTON INC							
569806		PI0320	028767	00	10/15/2014	001-2027-452.30-49	BLANKET PURCHASE ORDER	181.73	
							VENDOR TOTAL *	181.73	
0001024	00	CHRISTENSEN LUMBER INC							
CLC00245268-001	PI0022	028768	00	10/15/2014	001-2027-452.30-69	BLANKET PURCHASE ORDER	86.80		
CLC00246625-001	PI0266	030476	00	10/15/2014	001-2027-452.30-49	BLANKET PURCHASE ORDER	17.47		
CLC00246649-001	PI0267	030476	00	10/15/2014	001-2027-452.30-49	BLANKET PURCHASE ORDER	2.70-		
							VENDOR TOTAL *	101.57	
0004040	00	CITY OF WAHOO							
2014		PI0300	030653	00	10/15/2014	001-1209-421.20-32	GENERAL	37,145.00	
							VENDOR TOTAL *	37,145.00	
0003250	00	CONTINENTAL FIRE SPRINKLER CO							
211419		PI0215	030578	00	10/15/2014	001-2026-451.20-60	GENERAL	495.00	
							VENDOR TOTAL *	495.00	
0005203	00	CROP PRODUCTION SERVICES INC							
25616570		PI0116	030628	00	10/15/2014	001-2027-452.30-32	GENERAL	286.80	
							VENDOR TOTAL *	286.80	

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0001643	00	CULLIGAN OF OMAHA						
881530		PI0223 028811	00	10/15/2014	001-1209-421.20-99	BLANKET PURCHASE ORDER	35.50	
881680		PI0224 028811	00	10/15/2014	001-1209-421.20-99	BLANKET PURCHASE ORDER	35.50	
						VENDOR TOTAL *	71.00	
9999999	00	CURIEL, ELIZABETH						
109037	CURIEL	000844	00	10/15/2014	001-0000-202.04-00	ELIZABETH CURIEL/COMM RM	50.00	
						VENDOR TOTAL *	50.00	
0005074	00	D&D COMMUNICATIONS						
91919		PI0196 030415	00	10/15/2014	001-1209-421.40-90	GENERAL	2,014.12	
						VENDOR TOTAL *	2,014.12	
0003493	00	DEMCO INC						
5416425		PI0249 030233	00	10/15/2014	001-2031-455.20-14	GENERAL	306.40	
						VENDOR TOTAL *	306.40	
0001063	00	DIAMOND VOGEL PAINT CENTER						
522133153		PI0023 028771	00	10/15/2014	001-2029-451.30-49	BLANKET PURCHASE ORDER	35.99	
						VENDOR TOTAL *	35.99	
0002897	00	DIERS INC						
111930P		PI0024 028772	00	10/15/2014	001-1015-415.30-63	BLANKET PURCHASE ORDER	298.23	
111943P		PI0025 028772	00	10/15/2014	001-1209-421.30-63	BLANKET PURCHASE ORDER	125.14	
111947P		PI0026 028772	00	10/15/2014	001-1209-421.30-63	BLANKET PURCHASE ORDER	53.78	
111965P		PI0027 028772	00	10/15/2014	001-1209-421.30-63	BLANKET PURCHASE ORDER	89.92	
111987P		PI0028 028772	00	10/15/2014	001-1209-421.30-63	BLANKET PURCHASE ORDER	70.98	
						VENDOR TOTAL *	638.05	
0003359	00	DODGE COUNTY HUMANE SOCIETY						
100614	DOG TAGS	000852	00	10/15/2014	001-1003-322.06-00	REFUND LICENSE FEE	242.00	
						VENDOR TOTAL *	242.00	
0001070	00	DODGE COUNTY REGISTER OF DEEDS						
201404240		PI0279 030515	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	16.00	
						VENDOR TOTAL *	16.00	
0006357	00	DREWS, DOUGLAS						
100514		PI0257 029679	00	10/15/2014	001-2027-452.20-99	GENERAL	407.00	
092814		PI0329 029679	00	10/15/2014	001-2027-452.20-99	GENERAL	467.32	
						VENDOR TOTAL *	874.32	
0003087	00	EAKES OFFICE SOLUTIONS						
6498228-0		PI0330 030446	00	10/15/2014	001-1209-421.40-90	GENERAL	4,642.93	
S 98560		PI0244 028909	00	10/15/2014	001-2031-455.20-99	BLANKET PURCHASE ORDER	26.32	
						VENDOR TOTAL *	4,669.25	
0006264	00	EMS BILLING SERVICES INC						
20142990		PI0087 029051	00	10/15/2014	001-1206-422.20-99	GENERAL	4,358.59	

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0006264	00	EMS BILLING SERVICES INC					
					VENDOR TOTAL *	4,358.59	
0006234 10796	00	EVANCED SOLUTIONS LLC PI0189 030228	00 10/15/2014	001-2031-419.30-55	GENERAL	1,160.00	
					VENDOR TOTAL *	1,160.00	
0002050	00	FASTENAL COMPANY					
NEFRE119133		PI0123 028775	00 10/15/2014	001-2030-451.30-49	BLANKET PURCHASE ORDER	21.82	
NEFRE119124		PI0029 028775	00 10/15/2014	012-2025-431.30-76	BLANKET PURCHASE ORDER	5.82	
NEFRE119509		PI0268 030483	00 10/15/2014	012-2025-431.30-56	BLANKET PURCHASE ORDER	38.75	
NEFRE119533		PI0269 030483	00 10/15/2014	012-2025-431.30-76	BLANKET PURCHASE ORDER	169.97	
					VENDOR TOTAL *	236.36	
0000491 0267945-IN	00	FELD EQUIPMENT CO INC, ED M PI0111 030614	00 10/15/2014	001-1206-422.30-63	GENERAL	46.00	
					VENDOR TOTAL *	46.00	
0003909 34042623	00	FIRST NATIONAL BANK OMAHA 092914PI0323 028813	00 10/15/2014	034-0790-421.30-44	BLANKET PURCHASE ORDER	44.66	
					VENDOR TOTAL *	44.66	
9999999 109068 FRE ANTI	00	FREMONT ANTIQUE CAR CLUB 000857	00 10/15/2014	001-0000-202.04-00	FRE ANTIQUE CAR CLUB/CF	200.00	
					VENDOR TOTAL *	200.00	
0001107	00	FREMONT AREA MEDICAL CENTER					
265551 090914		PI0062 028872	00 10/15/2014	001-1004-424.20-35	BLANKET PURCHASE ORDER	45.00	
265551 091714		PI0063 028872	00 10/15/2014	001-1206-422.20-35	BLANKET PURCHASE ORDER	30.00	
265551 091714		PI0064 028872	00 10/15/2014	001-1209-421.20-35	BLANKET PURCHASE ORDER	60.00	
265551 091714		PI0065 028872	00 10/15/2014	001-2027-452.20-35	BLANKET PURCHASE ORDER	30.00	
265551 091714		PI0066 028872	00 10/15/2014	012-2025-431.20-35	BLANKET PURCHASE ORDER	30.00	
					VENDOR TOTAL *	195.00	
0001111 498236	00	FREMONT BUILDERS SUPPLY INC PI0124 028777	00 10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER	169.00	
					VENDOR TOTAL *	169.00	
0001112 33858 33858	00	FREMONT ELECTRIC INC PI0327 029154 PI0328 029154	00 10/15/2014 00 10/15/2014	001-2042-440.20-60 001-2042-440.30-56	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	125.00 121.31	
					VENDOR TOTAL *	246.31	
0001115 3578 3578	00	FREMONT GLASS CO PI0199 030460 PI0200 030460	00 10/15/2014 00 10/15/2014	012-2025-431.20-60 012-2025-431.30-49	FIELD PURCHASE ORDER FIELD PURCHASE ORDER	55.00 30.00	
					VENDOR TOTAL *	85.00	
0001124	00	FREMONT PRINTING CO					

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0001124	00	FREMONT PRINTING CO						
14039		PI0203 030544	00	10/15/2014	001-1004-424.30-35	GENERAL	75.50	
14046		PI0218 030630	00	10/15/2014	001-1209-421.30-35	GENERAL	46.85	
14039		PI0204 030544	00	10/15/2014	001-1305-430.30-35	GENERAL	37.75	
14045		PI0197 030440	00	10/15/2014	001-2026-451.30-35	GENERAL	37.75	
VENDOR TOTAL *							197.85	
0001125	00	FREMONT PUBLIC SCHOOLS						
SEPT 14		TOBACCO000860	00	10/15/2014	001-0000-208.00-00	SEPT 14 TOBACCO	7.50	
SEPT 14		LIQUOR 000859	00	10/15/2014	001-1003-320.00-00	SEPT 14 LIQUOR	375.00	
VENDOR TOTAL *							382.50	
0001131	00	FREMONT TRIBUNE						
74614		PI0075 028873	00	10/15/2014	001-1003-415.20-33	BLANKET PURCHASE ORDER	30.24	
74630		PI0280 030517	00	10/15/2014	001-1003-415.20-33	BLANKET PURCHASE ORDER	2.40	
74608		PI0072 028873	00	10/15/2014	001-2021-412.20-33	BLANKET PURCHASE ORDER	11.78	
74630		PI0281 030517	00	10/15/2014	001-2021-412.20-33	BLANKET PURCHASE ORDER	4.80	
74439		PI0067 028873	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	55.24	
74565		PI0068 028873	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	4.25	
74566		PI0069 028873	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	4.25	
74567		PI0070 028873	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	4.91	
74609		PI0073 028873	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	10.80	
74610		PI0074 028873	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	10.80	
60002353	091214	PI0160 028873	00	10/15/2014	001-2024-416.20-33	BLANKET PURCHASE ORDER	240.50	
74630		PI0282 030517	00	10/15/2014	001-2026-451.20-33	BLANKET PURCHASE ORDER	2.40	
74630		PI0283 030517	00	10/15/2014	001-2031-455.20-33	BLANKET PURCHASE ORDER	2.40	
60002353	091214	PI0161 028873	00	10/15/2014	012-2025-431.20-33	BLANKET PURCHASE ORDER	240.40	
74599		PI0071 028873	00	10/15/2014	012-2032-431.45-20	BLANKET PURCHASE ORDER	54.63	
74620		PI0076 028873	00	10/15/2014	024-0772-490.20-33	BLANKET PURCHASE ORDER	4.25	
74621		PI0077 028873	00	10/15/2014	024-0772-490.20-33	BLANKET PURCHASE ORDER	4.58	
74630		PI0284 030517	00	10/15/2014	029-2034-466.20-33	BLANKET PURCHASE ORDER	2.40	
VENDOR TOTAL *							691.03	
0006182	00	FREMONT TRUCK & AUTO PARTS INC						
152464		PI0032 028778	00	10/15/2014	001-1015-415.30-63	BLANKET PURCHASE ORDER	39.68	
151652		PI0030 028778	00	10/15/2014	001-1209-421.30-63	BLANKET PURCHASE ORDER	20.95	
152366		PI0031 028778	00	10/15/2014	001-1209-421.30-63	BLANKET PURCHASE ORDER	113.82	
152805		PI0125 028778	00	10/15/2014	001-2027-452.30-44	BLANKET PURCHASE ORDER	65.94	
152876		PI0126 028778	00	10/15/2014	001-2027-452.30-63	BLANKET PURCHASE ORDER	32.86	
152879		PI0127 028778	00	10/15/2014	001-2027-452.30-63	BLANKET PURCHASE ORDER	75.18	
153071		PI0271 030487	00	10/15/2014	001-2027-452.30-63	BLANKET PURCHASE ORDER	34.98	
152652		PI0033 028778	00	10/15/2014	012-2025-431.30-56	BLANKET PURCHASE ORDER	20.94	
152862		PI0034 028778	00	10/15/2014	012-2025-431.30-56	BLANKET PURCHASE ORDER	4.68	
153066		PI0270 030487	00	10/15/2014	012-2025-431.30-63	BLANKET PURCHASE ORDER	52.29	
VENDOR TOTAL *							461.32	
0002924	00	FREMONT WASTE TRANSFER						
SEPT 2014		000855	00	10/15/2014	001-2027-452.20-99	SEPT 2014	224.45	
SEPT 2014		000856	00	10/15/2014	012-2025-431.20-99	SEPT 2014	356.03	

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NO		NO	NO	NO	NO		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
											AMOUNT
0002924	00	FREMONT WASTE TRANSFER									
									VENDOR TOTAL *	580.48	
9999999	00	FREMONT WINNELSON									
109078	FRE	WINN000858				00	10/15/2014	001-0000-202.04-00	FRE WINNELSON/CF MTG RM	50.00	
									VENDOR TOTAL *	50.00	
0001132	00	FREMONT WINNELSON CO									
272118-00		PI0128 028779				00	10/15/2014	001-2042-440.30-56	BLANKET PURCHASE ORDER	201.08	
									VENDOR TOTAL *	201.08	
9999999	00	FT ATKINSON MUZZLE LDS									
109016	FT	ATKIN000845				00	10/15/2014	001-0000-202.04-00	FT ATKINSON MUZZLE/CF DEP	500.00	
109020	FT	ATKIN000846				00	10/15/2014	001-2026-347.05-00	FT ATKINSON MUZZLE/CF P/A	50.00	
									VENDOR TOTAL *	550.00	
0006263	00	GALE/CENGAGE LEARNING INC									
53304314		PI0229 028837				00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	218.90	
53319069		PI0230 028837				00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	23.24	
53319830		PI0231 028837				00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	19.46	
									VENDOR TOTAL *	261.60	
0001139	00	GERHOLD CONCRETE CO INC									
50357295		PI0035 028780				00	10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER	984.00	
50357792		PI0036 028780				00	10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER	550.50	
50357987		PI0129 028780				00	10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER	58.77	
50358693		PI0130 028780				00	10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER	314.38	
50358904		PI0131 028780				00	10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER	124.33	
									VENDOR TOTAL *	2,031.98	
0001143	00	GLASS HOUSE									
48511		PI0202 030543				00	10/15/2014	001-1209-421.20-99	GENERAL	265.00	
									VENDOR TOTAL *	265.00	
9999999	00	HAVENER, PEGGY									
109060	HAVENER	000847				00	10/15/2014	001-0000-202.04-00	PEGGY HAVENER/COMM RM DEP	50.00	
									VENDOR TOTAL *	50.00	
0006429	00	HILL, DARYN									
148		PI0097 030347				00	10/15/2014	012-2032-431.45-20	GENERAL	883.04	
									VENDOR TOTAL *	883.04	
0005530	00	HOMETOWN LEASING									
45783630	1114	PI0286 030530				00	10/15/2014	001-1015-415.20-70	BLANKET PURCHASE ORDER	195.00	
									VENDOR TOTAL *	195.00	
0005202	00	HURST LAWN SERVICE LLC									
12279		PI0248 029848				00	10/15/2014	001-2031-455.20-99	GENERAL	295.00	
									VENDOR TOTAL *	295.00	

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0001167	00	HY-VEE						
2135810331		PI0219 028781	00	10/15/2014	001-2031-455.30-41	BLANKET PURCHASE ORDER	27.90	
2136545263		PI0311 030490	00	10/15/2014	001-2031-455.30-41	BLANKET PURCHASE ORDER	15.96	
2136379805		PI0251 030382	00	10/15/2014	063-0663-480.30-41	BLANKET PURCHASE ORDER	42.81	
						VENDOR TOTAL *	86.67	
0004171	00	IAFC MEMBERSHIP						
100615	BERNT	PI0305 030679	00	10/15/2014	001-1206-422.20-93	GENERAL	259.00	
						VENDOR TOTAL *	259.00	
0000697	00	ICMA						
321972		PI0332 030689	00	10/15/2014	001-1002-415.20-13	BLANKET PURCHASE ORDER	175.00	
						VENDOR TOTAL *	175.00	
0005752	00	IMA INC - BENEFITS DIVISION						
952930		PI0259 030464	00	10/15/2014	060-0660-441.70-07	BLANKET PURCHASE ORDER	3,750.00	
						VENDOR TOTAL *	3,750.00	
0003478	00	INSPRO INC						
608121		PI0310 030690	00	10/15/2014	001-1015-415.20-47	BLANKET PURCHASE ORDER	100.00	
						VENDOR TOTAL *	100.00	
0000485	00	INTERSTATE BATTERY SYSTEM						
88110693		PI0301 030660	00	10/15/2014	001-1209-421.30-63	FIELD PURCHASE ORDER	104.29	
88110692		PI0302 030661	00	10/15/2014	012-2025-431.30-56	FIELD PURCHASE ORDER	221.90	
						VENDOR TOTAL *	326.19	
0004224	00	JAMAR TECHNOLOGIES INC						
22336		PI0104 030559	00	10/15/2014	001-1305-430.40-90	GENERAL	2,563.00	
						VENDOR TOTAL *	2,563.00	
9999999	00	JORGENSEN, JIM						
100114	JORGENSE	000853	00	10/15/2014	012-2032-431.45-20	JIM JORGENSEN/SEEDING RES	76.55	
						VENDOR TOTAL *	76.55	
0005803	00	LANG, JOHN						
283		PI0256 030675	00	10/15/2014	024-0772-490.20-99	FIELD PURCHASE ORDER	90.00	
						VENDOR TOTAL *	90.00	
0002898	00	LARSEN INTERNATIONAL						
T77633		PI0132 028786	00	10/15/2014	012-2025-431.30-56	BLANKET PURCHASE ORDER	1.38	
						VENDOR TOTAL *	1.38	
0005048	00	LIVING WATER IRRIGATION						
741908		PI0217 030626	00	10/15/2014	012-2032-431.45-20	GENERAL	250.00	
						VENDOR TOTAL *	250.00	
0006445	00	LJS TRAINING AND CONSULTING LLC						
699		PI0296 030624	00	10/15/2014	001-1209-421.20-13	GENERAL	250.00	

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0006445	00	LJS TRAINING AND CONSULTING LLC						
						VENDOR TOTAL *	250.00	
0004744 143740	00	LOGISTECH INC PI0146 028843	00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	60.27	
						VENDOR TOTAL *	60.27	
0002945 30224669	00	LYMAN-RICHEY CORP PI0322 028788	00	10/15/2014	012-2025-431.30-69	BLANKET PURCHASE ORDER	48.68	
						VENDOR TOTAL *	48.68	
0006212 09930239 50657268 09930198	00	MATHESON TRI-GAS INC PI0133 028787 PI0321 028787 PI0037 028787	00	10/15/2014 10/15/2014 10/15/2014	001-1206-422.30-32 001-2030-451.20-70 012-2025-431.30-64	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	111.87 4.80 130.92	
						VENDOR TOTAL *	247.59	
0001229 63753 63431 63145 63749 63132 63749 63364 63364 63147 63573 62998 63753 63753 63753	00	MENARDS - FREMONT PI0272 030497 PI0042 028790 PI0040 028790 PI0298 030647 PI0039 028790 PI0299 030647 PI0220 028790 PI0221 028790 PI0041 028790 PI0134 028790 PI0038 028790 PI0273 030497 PI0274 030497 PI0275 030497	00	10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014	001-1013-432.30-79 001-1206-422.30-79 001-2026-451.30-49 001-2027-452.30-32 001-2030-451.30-49 001-2030-451.30-32 001-2031-455.30-58 001-2031-455.30-79 001-2042-440.30-56 001-2042-440.30-56 012-2025-431.30-69 012-2025-431.30-33 012-2025-431.30-52 012-2025-431.30-79	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER GENERAL BLANKET PURCHASE ORDER GENERAL BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	25.62 18.97 17.82 331.10 76.67 165.52 9.99 109.00 72.97 24.98 79.35 15.06 19.97 44.99	
						VENDOR TOTAL *	1,012.01	
0003474 4443331	00	METROPOLITAN COMMUNITY COLLEGE PI0093 030209	00	10/15/2014	001-1206-422.20-13	GENERAL	1,350.00	
						VENDOR TOTAL *	1,350.00	
0006443 IVC000211	00	MID-AMERICAN SUPPLY COMPANY PI0214 030564	00	10/15/2014	001-1209-421.30-79	GENERAL	58.00	
						VENDOR TOTAL *	58.00	
0004095 92176953 92182966 92195256 92195926 92201054 92201055	00	MIDWEST TAPE PI0147 028845 PI0148 028845 PI0232 028845 PI0233 028845 PI0234 028845 PI0235 028845	00	10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014	001-2031-455.30-51 001-2031-455.30-51 001-2031-455.30-51 001-2031-455.30-51 001-2031-455.30-51 001-2031-455.30-51	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	286.94 56.18 269.90 23.84 45.68 26.84	

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0004095	00	MIDWEST TAPE	92201057	PI0236	028845	00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	31.68	
									VENDOR TOTAL *	741.06	
0001999	00	NEBR ASSN OF PROPERTY AND EVIDENCE	101514	EDWARDS	PI0295	030622	00 10/15/2014	001-1209-421.20-13	GENERAL	25.00	
									VENDOR TOTAL *	25.00	
0003794	00	NEBR CUSTOM COVER	32206	PI0043	028792	00	10/15/2014	001-2029-451.40-20	BLANKET PURCHASE ORDER	215.00	
									VENDOR TOTAL *	215.00	
0002006	00	NEBR DEPT OF REVENUE	273392961	0914	PI0183	029162	00 10/15/2014	001-2026-451.20-99	BLANKET PURCHASE ORDER	35.44	
									VENDOR TOTAL *	35.44	
0003977	00	NEBR DEPT OF REVENUE	13392961	0914	PI0184	029163	00 10/15/2014	001-2027-452.20-99	BLANKET PURCHASE ORDER	41.62	
			13392961	0914	PI0185	029163	00 10/15/2014	001-2029-451.20-99	BLANKET PURCHASE ORDER	57.48	
									VENDOR TOTAL *	99.10	
0006446	00	NEBR HUMANE SOCIETY	FPD10012014	PI0297	030636	00	10/15/2014	001-1209-421.20-13	GENERAL	75.00	
									VENDOR TOTAL *	75.00	
0006352	00	NEBR LANGUAGE SERVICES LLC	2030	PI0186	029627	00	10/15/2014	001-1016-414.20-99	BLANKET PURCHASE ORDER	65.00	
									VENDOR TOTAL *	65.00	
0003800	00	NEBR MUNICIPAL FIRE CHIEFS ASSN	2015 DUES	10/14	PI0309	030688	00 10/15/2014	001-1206-422.20-93	GENERAL	50.00	
									VENDOR TOTAL *	50.00	
0003065	00	NEBR STATEWIDE ARBORETUM	1516	PI0289	030576	00	10/15/2014	001-2027-452.20-93	GENERAL	130.00	
			1572	PI0291	030576	00	10/15/2014	001-2027-452.20-93	GENERAL	220.00	
			1553	PI0290	030576	00	10/15/2014	001-2042-440.20-93	GENERAL	130.00	
									VENDOR TOTAL *	480.00	
0006321	00	NEUVIRTH CONSTRUCTION INC	#5&FNL 121396	PI0339	029116	00	10/15/2014	012-2032-431.45-20	FIELD PURCHASE ORDER	16,573.66	
									VENDOR TOTAL *	16,573.66	
9999999	00	NEW HORIZON CHURCH	109038	NEW HORI000848		00	10/15/2014	001-0000-202.04-00	NEW HORIZON CHRCH/JCF ELC	30.00	
									VENDOR TOTAL *	30.00	
0004242	00	NFPA	6199337X	PI0306	030680	00	10/15/2014	001-1206-422.20-93	GENERAL	1,165.00	

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0004242	00	NFPA						
						VENDOR TOTAL *	1,165.00	
0004242 6199336X	00	NFPA,CK GRP-1 PI0307 030684	00	10/15/2014	001-1206-422.20-93	GENERAL	165.00	
						VENDOR TOTAL *	165.00	
0003682 OCT 2014	00	NSA/POAN CONFERENCE PI0258 030441	00	10/15/2014	001-1209-421.20-13	GENERAL	480.00	
						VENDOR TOTAL *	480.00	
0006061 16404 16415 16480	00	NTR CUSTOM METALS LLC PI0044 028793 PI0135 028793 PI0276 030500	00	10/15/2014 10/15/2014 10/15/2014	001-2027-452.30-49 012-2025-431.30-56 012-2025-431.30-56	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	21.00 71.55 29.45	
						VENDOR TOTAL *	122.00	
0001020 0397-229848 0397-229891 0397-231546 0397-231923 0397-216287 0397-229861 0397-232248 0397-226428 0397-230095 0397-230644 0397-231402	00	O'REILLY AUTOMOTIVE INC PI0047 028794 PI0049 028794 PI0222 028794 PI0277 030501 PI0045 028794 PI0048 028794 PI0278 030501 PI0046 028794 PI0050 028794 PI0051 028794 PI0136 028794	00	10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014	001-1015-415.30-63 001-1015-415.30-63 001-1206-422.30-63 001-1206-422.30-63 001-1209-421.30-63 001-1209-421.30-63 001-1217-429.30-56 012-2025-431.30-56 012-2025-431.30-56 012-2025-431.30-56 012-2025-431.30-56	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	28.95 2.99 12.40 7.39 236.13 31.09 80.74 19.99 26.38 71.38 116.98	
						VENDOR TOTAL *	634.42	
0002888 753600-0 752552-0 753795-0 752445-0 753798-0 753600-0 752552-0 752692-0 752476-0 753602-0	00	OFFICENET PI0080 028889 PI0212 030555 PI0082 028889 PI0209 030551 PI0243 028889 PI0081 028889 PI0213 030555 PI0105 030571 PI0211 030553 PI0242 028889	00	10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014	001-1004-424.20-70 001-1004-424.30-31 001-1206-422.20-95 001-1209-421.30-31 001-1209-421.20-70 001-1305-430.20-70 001-1305-430.30-31 001-2029-451.30-31 001-2031-455.30-79 001-2031-455.20-70	BLANKET PURCHASE ORDER GENERAL BLANKET PURCHASE ORDER GENERAL BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER GENERAL GENERAL GENERAL BLANKET PURCHASE ORDER	30.19 13.39 135.58 531.96 127.28 30.19 8.74 16.58 254.79 32.02	
						VENDOR TOTAL *	1,180.72	
0001713 325090H	00	OMAHA TRUCK CENTER INC PI0198 030450	00	10/15/2014	012-2025-431.30-56	FIELD PURCHASE ORDER	29.14	
						VENDOR TOTAL *	29.14	
0002948	00	ORIENTAL TRADING CO INC						

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0002948 665604765-01	00 PI0103	ORIENTAL TRADING CO INC 030465	00 10/15/2014	001-2029-451.30-79	GENERAL	121.50	
					VENDOR TOTAL *	121.50	
0001625 CO65208A14	00 PI0292	OTIS ELEVATOR COMPANY 030585	00 10/15/2014	001-1209-421.20-65	BLANKET PURCHASE ORDER	134.66	
					VENDOR TOTAL *	134.66	
0005755 1419-123759123	00 PI0247	OVERDRIVE INC 029416	00 10/15/2014	001-2031-455.30-51	GENERAL	1,545.34	
					VENDOR TOTAL *	1,545.34	
0005524 63416	00 PI0245	PAPER TIGER SHREDDING 028942	00 10/15/2014	001-1209-421.20-99	GENERAL	50.00	
					VENDOR TOTAL *	50.00	
9999999 109105 PARKER	00 000863	PARKER, KAREN	00 10/15/2014	001-2029-347.00-00	KAREN PARKER/CRAFT SHOW	30.00	
					VENDOR TOTAL *	30.00	
0006314 TRASTA 092914	00 PI0083	PEST PRO'S INC 028948	00 10/15/2014	001-1013-432.20-99	FIELD PURCHASE ORDER	25.00	
					VENDOR TOTAL *	25.00	
0001276 18691 18691	00 PI0078 PI0079	PEST-TROL 028880 028880	00 10/15/2014 00 10/15/2014	001-2026-451.20-99 001-2029-451.20-99	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	149.00 19.00	
					VENDOR TOTAL *	168.00	
0001279 093014 093014	00 PI0334 PI0335	PETTY CASH 030524 028881	00 10/15/2014 00 10/15/2014	001-2027-452.20-11 001-2027-452.20-99	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	7.55 16.00	
					VENDOR TOTAL *	23.55	
0002919 587208 586881 586464 068978 100314	00 PI0137 PI0053 PI0052 PI0303	PLATTE VALLEY EQUIPMENT LLC 028795 028795 028795 030665	00 10/15/2014 00 10/15/2014 00 10/15/2014 00 10/15/2014	001-2027-452.30-56 001-2042-440.30-56 012-2025-431.30-63 012-2025-431.30-33	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER FIELD PURCHASE ORDER	6.36 72.34 5.79 260.00	
					VENDOR TOTAL *	344.49	
0006199 4269	00 PI0246	PREMIER STAFFING INC 029041	00 10/15/2014	001-1305-430.20-35	BLANKET PURCHASE ORDER	30.00	
					VENDOR TOTAL *	30.00	
0006434 265357	00 PI0099	PRO-VISION INC 030395	00 10/15/2014	034-0790-421.40-90	GENERAL	359.00	
					VENDOR TOTAL *	359.00	

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0006259 310164	00	RAY ALLEN MANUFACTURING LLC PI0108 030577	00	10/15/2014	001-1209-421.30-63	GENERAL	344.99	
						VENDOR TOTAL *	344.99	
0003505 75005000 75005228 75007825 75008513 438	00	RECORDED BOOKS INC PI0149 028847 PI0150 028847 PI0237 028847 PI0238 028847 PI0255 030649	00	10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014	001-2031-455.30-51 001-2031-455.30-51 001-2031-455.30-51 001-2031-455.30-51 001-2031-455.30-51	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER GENERAL	56.90 49.99 56.90 158.82 6,325.22	
						VENDOR TOTAL *	6,647.83	
9999999 109058	00 ROUMPH	ROUMPH, EMILY 000849	00	10/15/2014	001-0000-202.04-00	EMILY ROUMPH/JOHNSON LAKE	50.00	
						VENDOR TOTAL *	50.00	
0001305 93014-27	00	SAWYER GAS N WASH INC PI0138 028797	00	10/15/2014	001-1209-421.20-99	BLANKET PURCHASE ORDER	225.24	
						VENDOR TOTAL *	225.24	
0006316 43892 43892 44008	00	SCALES SALES & SERVICE INC PI0190 030289 PI0191 030289 PI0192 030289	00	10/15/2014 10/15/2014 10/15/2014	001-1013-432.20-99 001-1013-432.30-79 001-1013-432.30-79	FIELD PURCHASE ORDER FIELD PURCHASE ORDER FIELD PURCHASE ORDER	833.75 512.45 910.89	
						VENDOR TOTAL *	2,257.09	
0006433 1102296	00	SECURTIY PRODUCTS COMPANY PI0098 030384	00	10/15/2014	001-1003-415.20-99	FIELD PURCHASE ORDER	180.00	
						VENDOR TOTAL *	180.00	
0006441 25566 25566	00	SENSOURCE INC PI0287 030565 PI0288 030565	00	10/15/2014 10/15/2014	001-2031-455.20-14 001-2031-455.30-79	GENERAL GENERAL	19.95 1,870.00	
						VENDOR TOTAL *	1,889.95	
0003036 14-1592 14-1593 14-1593	00	SHAFFER COMMUNICATIONS INC PI0195 030414 PI0207 030546 PI0208 030546	00	10/15/2014 10/15/2014 10/15/2014	001-1209-421.40-90 001-1209-421.20-60 001-1209-421.30-65	GENERAL GENERAL GENERAL	4,094.88 140.00 180.00	
						VENDOR TOTAL *	4,414.88	
0001308 8487-5 8659-9 8715-9	00	SHERWIN-WILLIAMS CO PI0054 028799 PI0055 028799 PI0056 028799	00	10/15/2014 10/15/2014 10/15/2014	001-2029-451.30-49 012-2025-431.30-49 012-2025-431.30-49	BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	33.27 96.25 60.75	
						VENDOR TOTAL *	190.27	
0005006 281546	00	SHOWCASES PI0253 030602	00	10/15/2014	001-2031-455.30-31	GENERAL	75.60	

PREPARED 10/09/2014, 10:51:44
 PROGRAM: GM339L
 City of Fremont
 General Fund

EXPENDITURE APPROVAL LIST
 AS OF: 10/15/2014 CHECK DATE: 10/15/2014

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BANK: 00

VEND NO INVOICE NO	SEQ# VOUCHER NO	VENDOR NAME P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0005006	00	SHOWCASES						
						VENDOR TOTAL *	75.60	
0001316	00	SIFFRING LANDSCAPING & GARDEN CTR						
37814		PI0057 028800	00	10/15/2014	001-2031-455.30-58	BLANKET PURCHASE ORDER	195.85	
36914		PI0194 030340	00	10/15/2014	001-2042-440.30-58	GENERAL	437.00	
						VENDOR TOTAL *	632.85	
0003375	00	STATE OF NEBRASKA - CELLULAR						
891355		PI0162 028884	00	10/15/2014	001-1015-415.20-12	BLANKET PURCHASE ORDER	179.73	
897126		PI0163 028884	00	10/15/2014	001-1015-415.20-12	BLANKET PURCHASE ORDER	1,185.91	
897128		PI0170 028892	00	10/15/2014	034-0790-421.20-12	BLANKET PURCHASE ORDER	201.69	
						VENDOR TOTAL *	1,567.33	
0002916	00	STEENBLOCK ERECTORS INC						
013070		PI0085 028985	00	10/15/2014	029-2034-466.20-60	FIELD PURCHASE ORDER	6,922.50	
013070		PI0086 028985	00	10/15/2014	029-2034-466.30-79	FIELD PURCHASE ORDER	667.33	
						VENDOR TOTAL *	7,589.83	
0002879	00	STEINBACH GRADING & HAULING INC						
092414		PI0179 029013	00	10/15/2014	012-2032-431.40-99	FIELD PURCHASE ORDER	1,800.00	
						VENDOR TOTAL *	1,800.00	
0006320	00	STEVE HARRIS CONSTRUCTION INC						
#5 P12509		PI0326 029115	00	10/15/2014	012-2032-431.45-20	FIELD PURCHASE ORDER	90,775.69	
						VENDOR TOTAL *	90,775.69	
0003473	00	STOPTECH LTD						
T004286-IN		PI0106 030574	00	10/15/2014	001-1209-421.20-11	GENERAL	26.00	
T004286-IN		PI0107 030574	00	10/15/2014	001-1209-421.30-79	GENERAL	600.00	
						VENDOR TOTAL *	626.00	
0005078	00	SUN LIFE FINANCIAL						
OCT 2014		PI0318 030632	00	10/15/2014	060-0660-441.70-06	BLANKET PURCHASE ORDER	3,016.32	
OCT 2014		PI0319 030632	00	10/15/2014	060-0660-441.70-08	BLANKET PURCHASE ORDER	3,880.98	
						VENDOR TOTAL *	6,897.30	
0003598	00	TIME WARNER CABLE						
0113917	1014	PI0285 030526	00	10/15/2014	001-1011-419.20-12	BLANKET PURCHASE ORDER	105.26	
						VENDOR TOTAL *	105.26	
0001339	00	TIMME WELDING & SUPPLY LLC						
14070		PI0058 028803	00	10/15/2014	001-2027-452.30-64	BLANKET PURCHASE ORDER	52.02	
						VENDOR TOTAL *	52.02	
0006063	00	TITAN MACHINERY INC (VICTORS)						
4675131		PI0059 028804	00	10/15/2014	012-2025-431.30-56	BLANKET PURCHASE ORDER	170.82	
						VENDOR TOTAL *	170.82	

PREPARED 10/09/2014, 10:51:44
 PROGRAM: GM339L
 City of Fremont
 General Fund

EXPENDITURE APPROVAL LIST
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VEND NO INVOICE NO	SEQ#	VENDOR NAME VOUCHER P.O. NO NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001345 082214	00	TRADE 'N' POST PI0096 030298	00	10/15/2014	001-1209-421.30-68	GENERAL	10.00	
						VENDOR TOTAL *	10.00	
0006355 517623	00	TRADE WELL PALLET INC PI0092 029658	00	10/15/2014	001-2027-452.30-79	GENERAL	1,500.00	
						VENDOR TOTAL *	1,500.00	
0001350 527537	00	TROPHY CASE PI0060 028806	00	10/15/2014	001-1206-422.30-79	BLANKET PURCHASE ORDER	6.00	
						VENDOR TOTAL *	6.00	
0004745 271107	00	UNIQUE MANAGEMENT SERVICES INC PI0178 028940	00	10/15/2014	001-2031-455.30-51	BLANKET PURCHASE ORDER	143.20	
						VENDOR TOTAL *	143.20	
0005809 0179350293	00	US BANK CORPORATE PAYMENT SYSTEMS PI0331 030589	00	10/15/2014	001-1002-415.20-13	BLANKET PURCHASE ORDER	233.04	
						VENDOR TOTAL *	233.04	
0006360 7632 7635	00	VALIEN, JIM PI0187 029688 PI0188 029688	00	10/15/2014 10/15/2014	001-2027-452.20-99 001-2027-452.20-99	GENERAL GENERAL	2,280.00 2,340.00	
						VENDOR TOTAL *	4,620.00	
0006436 3133170029 90910 091714 E-BIGGS	00	VISA PI0205 030545 PI0206 030545 PI0201 030461	00	10/15/2014 10/15/2014 10/15/2014	001-1209-421.20-13 001-1209-421.20-13 001-2031-455.20-13	GENERAL GENERAL GENERAL	233.26 20.00 795.31	
						VENDOR TOTAL *	1,048.57	
0003337 4114059 4114146 4114146 4114146 4114222 4114222 4114222 4114222 4114222 4114222 4114023 4114222 4114146 4114146	00	WASTE CONNECTIONS INC 000843 PI0165 028890 PI0166 028890 PI0167 028890 PI0172 028923 PI0173 028923 PI0174 028923 PI0175 028923 PI0176 028923 PI0164 028890 PI0177 028923 PI0168 028890 PI0169 028890	00	10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014 10/15/2014	001-1013-432.20-21 001-1206-422.20-99 001-1209-421.20-99 001-1410-421.20-99 001-2026-451.20-99 001-2027-452.20-99 001-2028-451.20-99 001-2029-451.20-99 001-2030-451.20-99 001-2031-455.20-99 001-2042-440.20-99 012-2025-431.20-99 012-2032-415.20-99	SEPT 2014 BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER BLANKET PURCHASE ORDER	70,708.82 157.70 204.19 85.00 756.70 451.85 65.00 219.09 306.00 66.92 63.52 165.95 25.00	
						VENDOR TOTAL *	73,275.74	
0001568 C2103627	00	YANT TESTING SUPPLY & EQUIPMENT INC PI0109 030613	00	10/15/2014	001-2042-440.20-99	GENERAL	40.00	

PREPARED 10/09/2014, 10:51:44
PROGRAM: GM339L
City of Fremont
General Fund

EXPENDITURE APPROVAL LIST
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BANK: 00

VEND NO	SEQ#	VENDOR NAME	INVOICE NO	VOUCHER NO	P.O. NO	BNK	CHECK/DUE DATE	ACCOUNT NO	ITEM DESCRIPTION	CHECK AMOUNT	EFT, EPAY OR HAND-ISSUED AMOUNT
0001568	00	YANT TESTING SUPPLY & EQUIPMENT INC									
C2103627		PI0110 030613	00	10/15/2014				001-2042-440.30-33	GENERAL	432.00	
									VENDOR TOTAL *	472.00	
								00 General Fund	BANK TOTAL *	350,324.29	20,522.67

PREPARED 10/09/2014, 10:51:44
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City of Fremont
Employee Benefits

EXPENDITURE APPROVAL LIST
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BANK: 01

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0005708	00	REGIONAL CARE INC						
10/08/14	MANUAL000009		01	10/08/2014	060-0660-441.70-01	10/08/14 MANUAL CLAIMS	CHECK #: 100565	103,016.44
10/08/14	MANUAL000010		01	10/08/2014	060-0660-391.00-00	10/08/14 COBRA	CHECK #: 100565	4,694.00-
						VENDOR TOTAL *	.00	98,322.44
			01	Employee Benefits		BANK TOTAL *	.00	98,322.44

PREPARED 10/09/2014, 10:51:44
PROGRAM: GM339L
City of Fremont
Keno Fund

EXPENDITURE APPROVAL LIST
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BANK: 04

VEND NO	SEQ#	VENDOR NAME							
INVOICE		VOUCHER	P.O.	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
NO		NO	NO		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
									AMOUNT
0003493	00	DEMCO INC							
5416425		PI0250 030233	04		10/15/2014	020-2066-490.60-16	GENERAL	8,796.11	
							VENDOR TOTAL *	8,796.11	
			04		Keno Fund		BANK TOTAL *	8,796.11	

PREPARED 10/09/2014, 10:51:44
PROGRAM: GM339L
City of Fremont
CDBG Clearing

EXPENDITURE APPROVAL LIST
AS OF: 10/15/2014 CHECK DATE: 10/15/2014

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BANK: 08

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE		VOUCHER P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO		NO NO						AMOUNT
0001131	00	FREMONT TRIBUNE						
74613		PI0239 028873	08	10/15/2014	031-0782-465.20-33	BLANKET PURCHASE ORDER	43.20	
						VENDOR TOTAL *	43.20	
0003608	00	NORTHEAST NEBR ECONOMIC DEV DIST						
082714	100998	PI0240 028878	08	10/15/2014	031-0782-465.20-99	BLANKET PURCHASE ORDER	2,851.20	
091714	101016	PI0241 028878	08	10/15/2014	031-0782-465.20-99	BLANKET PURCHASE ORDER	2,851.20	
						VENDOR TOTAL *	5,702.40	
			08	CDBG Clearing		BANK TOTAL *	5,745.60	

PREPARED 10/09/2014, 10:51:44
PROGRAM: GM339L
City of Fremont
E911

EXPENDITURE APPROVAL LIST
AS OF: 10/15/2014 CHECK DATE: 10/15/2014

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BANK: 09

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE		VOUCHER P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO		NO NO						AMOUNT
0001759	00	ATS "THE BEEPER PEOPLE"						
4977570		PI0061 028815 09	09	10/15/2014	033-0789-421.20-12	BLANKET PURCHASE ORDER	342.55	
						VENDOR TOTAL *	342.55	
0002675	00	CENTURYLINK (QWEST)						
4026440105	0914	PI0151 028870 09	09	10/15/2014	033-0789-421.20-12	BLANKET PURCHASE ORDER	1,781.01	
4027272600	0914	PI0153 028870 09	09	10/15/2014	033-0789-421.20-12	BLANKET PURCHASE ORDER	90.99	
						VENDOR TOTAL *	1,872.00	
0003789	00	NEBR EMERGENCY SERVICES						
2014 FALL		NESCAPI0100 030397 09	09	10/15/2014	033-0789-421.20-13	BLANKET PURCHASE ORDER	180.00	
						VENDOR TOTAL *	180.00	
0002888	00	OFFICENET						
751294-0		PI0193 030322 09	09	10/15/2014	033-0789-421.30-31	BLANKET PURCHASE ORDER	70.00	
752445-0		PI0210 030551 09	09	10/15/2014	033-0789-421.30-31	GENERAL	10.76	
						VENDOR TOTAL *	80.76	
0003420	00	RAMADA INN KEARNEY						
2013239		PI0101 030398 09	09	10/15/2014	033-0789-421.20-13	BLANKET PURCHASE ORDER	216.00	
2013240		PI0102 030398 09	09	10/15/2014	033-0789-421.20-13	BLANKET PURCHASE ORDER	216.00	
						VENDOR TOTAL *	432.00	
0003375	00	STATE OF NEBRASKA - CELLULAR						
897175		PI0171 028892 09	09	10/15/2014	033-0789-421.20-12	BLANKET PURCHASE ORDER	768.00	
						VENDOR TOTAL *	768.00	
			09	E911		BANK TOTAL *	3,675.31	
						HAND ISSUED TOTAL ***		98,322.44
						EFT/EPAY TOTAL ***		20,522.67
						TOTAL EXPENDITURES ****	368,541.31	118,845.11
					GRAND TOTAL	*****		487,386.42

PREPARED 10/10/2014, 14:30:13
PROGRAM: GM339L
City of Fremont
CDBG Clearing

EXPENDITURE APPROVAL LIST
AS OF: 10/15/2014 CHECK DATE: 10/15/2014

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BANK: 08

VEND NO	SEQ#	VENDOR NAME	BNK	CHECK/DUE	ACCOUNT	ITEM	CHECK	EFT, EPAY OR
INVOICE	VOUCHER	P.O.		DATE	NO	DESCRIPTION	AMOUNT	HAND-ISSUED
NO	NO	NO						AMOUNT
0003608	00	NORTHEAST NEBR ECONOMIC DEV DIST						
082714	100998	PI0340 028878	08	10/15/2014	031-0782-465.20-99	BLANKET PURCHASE ORDER	1,778.80	
091714	101016	PI0341 028878	08	10/15/2014	031-0782-465.20-99	BLANKET PURCHASE ORDER	7,946.80	
						VENDOR TOTAL *	9,725.60	
			08	CDBG Clearing		BANK TOTAL *	9,725.60	
						TOTAL EXPENDITURES ****	9,725.60	
					GRAND TOTAL	*****		9,725.60

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK/TREASURER

DATE: OCTOBER 9, 2014

SUBJECT: CONSUME ALCOHOL

Recommendation: Approve Resolution

Background: Per State Statute and City Code consumption of alcohol on public property must be approved by the local government.

#6

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF FREMONT, NEBRASKA, APPROVING CONSUMPTION OF ALCOHOLIC BEVERAGES ON CITY PROPERTY AS FOLLOWS: CITY AUDITORIUM (8/1/15); CHRISTENSEN FIELD (3/12/16, 9/5/15)

<u>Requestor:</u>	<u>Date:</u>	<u>Purpose:</u>	<u>City Property:</u>
Luis Garcia	August 1 2015	birthday	City Auditorium
Lexi Kimball	March 12, 2016	wedding reception	Christensen Field
Mirely Pena	September 5, 2015	Quincenera	Christensen Field

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk

CITY OF
FREMONT
NEBRASKA PATHFINDERS

PERMISSION TO CONSUME ALCOHOL ON CITY PROPERTY FORM
RETURN FORM **IMMEDIATELY** TO THE OFFICE OF THE CITY CLERK.

EMAIL, FAX OR MAIL THE FORM:

CITY CLERK, 400 EAST MILITARY, FREMONT NE 68025 FAX: 402.727.2778

KIM.VOLK@FREMONTNE.GOV OR LYNNE.MCINTOSH@FREMONTNE.GOV

You cannot consume alcohol on City property without City Council approval. City Council meets the 2nd and last Tuesday of every month. Agenda deadline is Thursday before the meeting.

On behalf of LUIS GARCIA, I respectfully request permission
Organization or Individual
to consume alcohol beverages on 8/1/15 at CITY AUD.
Date Location
for a BIRTHDAY
Type of Event

****Please indicate which facility you will be renting****

☐

Christensen Field

☒

City Auditorium

I understand that I must contract with a retail liquor license holder to procure a **special designated permit** from the City Council and the Nebraska Liquor Control Commission. The City Council meets the 2nd and last Tuesday of every month. The alcohol caterer can advise you of necessary time frames or you can call the City Clerk's office with questions regarding Special Designated Permits at 402/727-2633. I further understand that I must hire security for the event in the number as required by the Parks and Recreation Department and the Chief of Police. The security must be hired at least two weeks prior to the event.

I have read and understand the printed requirements for the facility that I have indicated above:

LUIS Garcia
Print Name

LUIS GARCIA
Signature

1906 E Dodge St Fremont NE
Address City State & Zip 68025

402-317-8354
Phone

CITY OF
FREMONT
NEBRASKA PATHFINDERS

PERMISSION TO CONSUME ALCOHOL ON CITY PROPERTY FORM
RETURN FORM **IMMEDIATELY** TO THE OFFICE OF THE CITY CLERK.

EMAIL, FAX OR MAIL THE FORM:

CITY CLERK, 400 EAST MILITARY, FREMONT NE 68025 FAX: 402.727.2778

KIM.VOLK@FREMONTNE.GOV OR LYNNE.MCINTOSH@FREMONTNE.GOV

You cannot consume alcohol on City property without City Council approval. City Council meets the 2nd and last Tuesday of every month. Agenda deadline is Thursday before the meeting.

On behalf of *Joe Kimball*, I respectfully request permission
Organization or Individual
to consume alcohol beverages on 3/12/14 at Christensen Field Event Center
Date Location
for a Wedding Reception
Type of Event

****Please indicate which facility you will be renting****



Christensen Field



City Auditorium

I understand that I must contract with a retail liquor license holder to procure a **special designated permit** from the City Council and the Nebraska Liquor Control Commission. The City Council meets the 2nd and last Tuesday of every month. The alcohol caterer can advise you of necessary time frames or you can call the City Clerk's office with questions regarding Special Designated Permits at 402/727-2633. I further understand that I must hire security for the event in the number as required by the Parks and Recreation Department and the Chief of Police. The security must be hired at least two weeks prior to the event.

I have read and understand the printed requirements for the facility that I have indicated above:

Luigi Kimball

Print Name

Joe Kimball

Signature

Po Box 417 North Bend Ne, 68049 (402) 720-0483

Address City State & Zip

Phone

CITY OF
FREMONT
NEBRASKA PATHFINDERS

PERMISSION TO CONSUME ALCOHOL ON CITY PROPERTY FORM
RETURN FORM **IMMEDIATELY** TO THE OFFICE OF THE CITY CLERK.

EMAIL, FAX OR MAIL THE FORM:

CITY CLERK, 400 EAST MILITARY, FREMONT NE 68025 FAX: 402.727.2778
KIM.VOLK@FREMONTNE.GOV OR LYNNE.MCINTOSH@FREMONTNE.GOV

You cannot consume alcohol on City property without City Council approval. City Council meets the 2nd and last Tuesday of every month. Agenda deadline is Thursday before the meeting.

On behalf of Mirely Pena, I respectfully request permission
Organization or Individual

to consume alcohol beverages on 9-05-15 at Christensen field
Date Location

for a Quinceañera
Type of Event

****Please indicate which facility you will be renting****



Christensen Field



City Auditorium

I understand that I must contract with a retail liquor license holder to procure a **special designated permit** from the City Council and the Nebraska Liquor Control Commission. The City Council meets the 2nd and last Tuesday of every month. The alcohol caterer can advise you of necessary time frames or you can call the City Clerk's office with questions regarding Special Designated Permits at 402/727-2633. I further understand that I must hire security for the event in the number as required by the Parks and Recreation Department and the Chief of Police. The security must be hired at least two weeks prior to the event.

I have read and understand the printed requirements for the facility that I have indicated above:

Mirely Pena
Print Name

Mirely V Pena
Signature

335 W K St Fremont ne
Address City State & Zip 68005

(402) 612-5311
Phone

STAFF REPORT

TO: MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK/TREASURER

DATE: OCTOBER 9, 2014

SUBJECT: CHRISTMAS WALK

Recommendation: Move to approve Resolution

Background: This is an annual event sponsored by MainStreet of Fremont.

Fiscal Impact:

#7

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, approving the closing of Schweser's Parking lot at 6th and Park and three parking stalls on the north side of 6th Street for MainStreet of Fremont Annual Christmas Walk events.

WHEREAS, MainStreet of Fremont has requested to close Schweser's Parking lot located at 6th and Park on November 28, 2014 from 4:00 p.m. to 7:00 p.m. for a live reindeer display; and,

WHEREAS, MainStreet of Fremont has requested to close three parking stalls on the north side of 6th Street for horse and carriage ride loading/unloading on November 28, 2014 from 4:00 p.m. to 7:00 p.m.; and,

WHEREAS, Both requests are for the annual downtown Christmas Walk event and said event has been successful in the downtown district in the past; and,

WHEREAS, Approval of request is contingent upon receipt of \$1,000,000 insurance certificate with the applicant as primary insured and the City of Fremont as additional insured and this resolution shall serve as the written agreement for said insurance

NOW THEREFORE BE IT RESOLVED: The Mayor and City Council approve the closing of the parking lot and parking stalls as requested by MainStreet of Fremont on November 28, 2014 for their events during the Annual Downtown Christmas Walk.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk



October 1, 2014

Board of Directors

*Cindy Bojanski
President*

*Jill Gossett
Vice President*

*Hayley Fischer
Secretary*

*Gordon Lowe
Treasurer*

Tom Coday

Josh Coates

Amy Stewart

Kellee Rasmussen

Kevin Main

Frank Kment

Jenefer Backhaus

Lindsey Adams

Sarah Brandt

Nik Beninato

*Shannon Mullen
Executive Director*

Fremont City Council
400 E. Military
Fremont, NE 68025

Dear City Council Members,

On behalf of MainStreet Fremont I respectfully request the closure of the Schwesers Parking lot located on the corner of 6th and Park Streets for a live reindeer attraction for the annual downtown Christmas Walk on the evening of November 28th from 4-7 pm. The reindeer will be in an enclosed area in the parking lot.

I would also like to request the use of 3 parking spaces from 4-7pm located on the north side of the Dodge County Title and Escrow building on 6th Street for the Horse and Carriage Ride loading/unloading zone. I would like to request the street department provide 2 barricades to designate this area as no parking.

If you have any questions or concerns about the request above, please feel free to contact me at your convenience.

Thank you for your continued support of MainStreet of Fremont and all of our downtown activities.

Sincerely,

A handwritten signature in cursive script that reads "Shannon Mullen".

Shannon Mullen
Executive Director

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK/TREASURER

DATE: OCTOBER 10, 2014

SUBJECT: OUTSIDE FIRE CONTRACTS

Recommendation: Approve Resolution

Background: Staff has calculated the fees for outside fire contracts based on the taxes used to subsidize Fire Department operations.

#8

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, approving Outside Fire contracts from October 8, 2014 to October 8, 2015.

RESOLVED: That Outside Fire Protection contracts for October 8, 2014 to October 8, 2015 for the following firms be renewed, subject to signing the usual agreement and payment of assessment.

FIRMS	CONTRACT PRICE
Americold Logistics	\$1,506.28
George A. Hormel Company	\$4,782.10
George A. Hormel Company	\$450.00
Magnus-Farley Metals	\$450.00
Provimi North America Inc.	\$785.11
Fremont Beef Company	\$1,687.81
R.E. Partnership (Sable Ent.)	\$450.00
Jayhawk Boxes	\$1,214.59
Oilgear	\$666.43

BE IT FURTHER RESOLVED: That the Mayor and City Clerk are hereby authorized to sign contracts for the City Council.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Jody Sanders, Director of Finance

DATE: October 7, 2014

SUBJECT: Report of Treasury

Recommendation: Move to receive Report of the Treasury

Background: The City Council receives internally-produced monthly financial statements in addition to the annual audited financial statements; however, the monthly reports are not available until mid-month. This statement reports the bank account balances at the end of the prior month, and is available by the first council meeting of each month. The Council will continue to receive the monthly financial statements, but this snapshot gives the Council more timely information regarding cash reserve balances.

Fiscal Impact: None

City of Fremont
Report of Treasury - Cash and Investment Bank Balances
September 30, 2014

Account Name	Statement ending balances						
	First National Bank - Fremont	First State Bank	Pinnacle Bank of Fremont	Cornerstone Bank, Columbus	NE Land National Bank, North Platte	Nebraska Public Investment Trust	BANCORP
Governmental							
<u>Checking/Money Market</u>							
City Treasurer	\$ 4,157,372						
City Treasurer-M Mkt	\$ 8,032,137						
City Treasurer						\$ 2,938,060	
Special Revenue		\$ 42,437					
Econ Development -						\$ 3,112,205	
Infrastructure - Sales Tax						\$ 1,694,954	
Insured M MKT ** -Sales Tax		\$ 3,122,338					
Public Safety - Sales Tax						\$ 3,361	
Streets - Sales Tax						\$ 198,908	
Streets - M Mkt			\$ 875,068				
Tax Relief - Sales Tax						\$ 195	
Community Development Agy	\$ 179,751						
Keno			\$ 131,262				
Keno - Npait M Mkt						\$ 345,925	
CDBG Clearing	\$ 3,593						
E911	\$ 356,983						
Drug Task	\$ 233,687						
Employee Benefits			\$ 965,277				
Employee Benefits							\$ 9,717
Total Checking/Money Market	\$ 12,963,523	\$ 3,164,774	\$ 1,971,608	\$ -	\$ -	\$ 8,293,608	\$ 9,717
<u>CD Investments</u>							
General fund	\$ 350,000				\$ 20,773		
Sales Tax/Public Safety fund				\$ 1,000,000			
Sales Tax/Infrastructure fund			\$ 1,900,000				
Sales Tax/Streets fund			\$ 1,850,000	\$ 500,000			
Sales Tax/LB840 fund							
Street fund			\$ 500,000	\$ 1,850,000			
KENO fund				\$ 250,000			
Trust Fund			\$ 125,000	\$ 50,000			
E911			\$ 50,000				
Special assessment Fund			\$ 500,000				
Employee Benefits	\$ 850,000		\$ -				
Work Comp	\$ 650,000		\$ -				
Total CD Investments	\$ 1,850,000	\$ -	\$ 4,925,000	\$ 3,650,000	\$ 20,773	\$ -	\$ -
Total Governmental deposits	\$ 14,813,523	\$ 3,164,774	\$ 6,896,608	\$ 3,650,000	\$ 20,773	\$ 8,293,608	\$ 9,717
					Grand total	\$ 36,849,003	

City of Fremont
Report of Treasury - Cash and Investment Bank Balances
September 30, 2014

Account Name	Statement ending balances						
	First National Bank - Fremont	First State Bank	Pinnacle Bank of Fremont	Cornerstone Bank, Columbus	NE Land National Bank, North Platte	Nebraska Public Investment Trust	BANCORP
Proprietary Funds							
<u>Checking/Money Market</u>							
Combined Utilities Fund	\$ 10,650,833						
Electric Fund	\$ 558,470						
Comb Util Funds/Construction	\$ 2,211,043						
Electric Funds						\$ 4,002,673	
Water Project Bond Acct	\$ 80,084						
Department of Utilities			\$ 665,321				
Sewer Improvement	\$ 3,376						
Sewer Funds						\$ 2,000,751	
Gas Fund						\$ 2,024,881	
Total Checking/Money Market	\$ 13,503,805	\$ -	\$ 665,321	\$ -	\$ -	\$ 8,028,305	\$ -
<u>CD Investments</u>							
Electric	\$ 3,352,800		\$ 11,500,000	\$ 21,713,047	\$ 12,134,848		
Water			\$ 875,000				
Sewer			\$ 1,600,000				
Gas	\$ 500,000		\$ 2,500,000				
Total CD Investments	\$ 3,852,800	\$ -	\$ 16,475,000	\$ 21,713,047	\$ 12,134,848	\$ -	\$ -
Total Proprietary deposits	\$ 17,356,605	\$ -	\$ 17,140,321	\$ 21,713,047	\$ 12,134,848	\$ 8,028,305	\$ -
					Grand total	\$ 76,373,126	
Grand total, all funds	\$ 32,170,128	\$ 3,164,774	\$ 24,036,928	\$ 25,363,047	\$ 12,155,621	\$ 16,321,912	\$ 9,717
					Grand total	\$ 113,222,128	

STAFF REPORT

TO: MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK/TREASURER

DATE: OCTOBER 9, 2014

SUBJECT: ARCHBISHOP BERGAN KNIGHT EVENT DINNER AUCTION

Recommendation: Move to approve Resolution

Background: This is a yearly request and there have been no reported problems in the past.

Fiscal Impact: none

#10

RESOLUTION NO. _____

A Resolution of the City Council of the City of Fremont, Nebraska, approving the request of Archbishop Bergan Catholic School to close Fourth Street from C to Union on November 21, 2014 for Knight Event Dinner Auction.

WHEREAS, Archbishop Bergan Catholic School has requested to close part of Fourth Street from C to Union on November 21, 2014 from 5:00 p.m. to 12:00 midnight for annual Knight Event Dinner Auction; and,

WHEREAS, There will be a lane down the center where emergency vehicles can access if necessary; and,

WHEREAS, This is an annual event and said event has been successful in the past; and,

WHEREAS, Approval of request is contingent upon receipt of \$1,000,000 insurance certificate with the applicant as primary insured and the City of Fremont as additional insured and this resolution shall serve as the written agreement for said insurance

NOW THEREFORE BE IT RESOLVED: The Mayor and City Council approve the closing of Fourth Street from C to Union on November 21, 2014 from 5:00 p.m. to 12:00 midnight for Knight Event Dinner Auction.

PASSED AND APPROVED THIS _____ DAY OF _____, 2014

Scott Getzschman, Mayor

ATTEST:

Kimberly Volk, MMC, City Clerk



September 23, 2014

Mayor Scott Getzschman
City of Fremont
400 East Military Street
Fremont, NE 68025

Dear Mayor Getzschman and Fremont City Council:

Our Knight Event Dinner Auction for the benefit of Archbishop Bergan Catholic School is once again being held in the Archbishop Bergan Catholic High School Gym.

We are asking for permission again to block off the one block section of Fourth Street from C Street to Union Street. We would use this street for a combination of angle and parallel parking. We would make sure that there is a lane down the center where emergency vehicles could have access if necessary. Otherwise, the street would be blocked with temporary barricades keeping normal traffic from using it.

We are asking this permission to be given to us for Friday, November 21, 2014, beginning at 5 p.m. and continuing until Midnight.

Thank you for your consideration.

Sincerely,

Bonnie Nebuda MOL
Director of Advancement

Preschool/Elementary Building
1515 N Johnson Rd, Fremont, NE 68025
P: 402-721-9766 • F: 402-721-1180

KNIGHTS

Middle/High School Building
545 E 4th St, Fremont, NE 68025
P: 402-721-9683 • F: 402-721-5366

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK /TREASURER

DATE: OCTOBER 9, 2014

SUBJECT: CEMENT WORKER APPLICATION

Recommendation: Move to approve the cement worker application of Larry Ryba & Ryba Construction

Background: Cement workers are required to apply for their first license with the City Council as there is not an examination given. There is no need to reapply with the City Council as long as the applicant keeps their license in force every year. Licensed cement/asphalt workers have a 60 day grace period to renew their license after April 1st of every year.

He is a first time applicant for a cement worker license with the City of Fremont.

#11

CITY OF
FREMONT
NEVADA CITY COUNCIL

LICENSE APPLICATION

Position	Fee	Bond	Term
FMC 10-322 Cement Work/Asphalt/Excavate	20.00	5,000.00	April 1st to April 1st of each year
FMC 10-315 House Mover	25.00	5,000.00	April 1st to April 1st of each year

TO THE FREMONT MAYOR AND COUNCIL:

The undersigned does hereby make application for license as Cement Work

License should be issued to Larry Ryba

License shall be used by applicant as the sole owner of business, which will be conducted under the name of Ryba Const Inc at 15806 So 63rd Papillion NE 68133

(If applicant is not sole owner, set out the other owners: Greg Ryba

Applicant telephone number at place of business or where can be reached 402-681-3191

To enable the Mayor and Council to determine whether an applicant possesses the necessary qualifications to obtain said license, applicant, under oath does hereby state:

I have had 45 years of practical experience in this type of work at the following places (Cover the last five years)

Omaha

I have the following technical education: NONE

I give you the following references: ELW Homes Sherwood Homes

Baranto Homes. HANE Building Homebuilders

Applicant agrees to comply with all licensing requirements should Council approve this application. Applicant agrees to comply with and is willing to be governed, in all respects, by the ordinances and laws now in effect or to be hereafter adopted by the City of Fremont.

IMPORTANT! After obtaining your license, please go to the 3rd floor of Municipal Building to obtain the rules and regulations concerning concrete work.

Dated 9.24.14

Larry Ryba
Signature

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK /TREASURER

DATE: OCTOBER 9, 2014

SUBJECT: PREMISE ADDITION FOR MOONSHINE HOLE LLC

Recommendation: Move to approve the request of Moonshine Hole LLC dba L.A. Fireproof Door, 325 North Main, for an addition to premise

Background: Liquor Control Commission requires Council approval of addition to premises. Moonshine Hole LLC has purchased the building to the north of their current location and would like to include it in their licensed area (see drawing). If recommendation of denial or no recommendation is made, the Liquor Control Commission will cease processing this request.

#12

STATE OF NEBRASKA

Dave Heineman
Governor

NEBRASKA LIQUOR CONTROL COMMISSION
Hobert B. Rupe Executive Director
301 Centennial Mall South, 5th Floor
P.O. Box 95046
Lincoln, Nebraska 68509-5046
Phone (402) 471-2571
Fax (402) 471-2814
TRS USER 800 833-7352 (TTY)

September 29, 2014

FREMONT CITY CLERK
400 EAST MILITARY AVE
FREMONT NE 68025-5141

Dear Clerk

The below licensee has requested an **ADDITION**:

LICENSE #: **C-088452**

LICENSEE /TRADE NAME: **MOONSHINE HOLE LLC, THE dba L.A. FIRE PROOF DOOR CO,THE**

ADDRESS: **325 N MAIN STREET**

CITY/COUNTY: **FREMONT/ DODGE**

PREMISE PHONE: **402-727-0531**

OLD DESCRIPTION: **ONE STORY BUILDING APPROX 22' X 70' INCLUDING BEER GARDEN
APPROX 31' X 110'**

NEW DESCRIPTION: **ONE STORY BUILDING APPROX 22' X 70' INCLUDING IRREGULAR SHAPED
OUTDOOR AREA TO THE NORTH APPROX 31' X 122 X 48' WIDE ON WEST END' AND 2ND ONE STORY BLDG
APPROX 110' X 44'**

Please present this request to you city/village/county board and send us a copy of their recommendation. If recommendation of denial or no recommendation is made the Commission has no alternative but to cease processing this request.

Randy Seybert
Licensing Division
Nebraska Liquor Control Commission

rs
cc: file

Janice Wiebusch
Commissioner

Bob Batt
Chairman
An Equal Opportunity/Affirmative Action Employer

William Austin
Commissioner

**APPLICATION FOR ADDITION
TO LIQUOR LICENSE**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

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SEP 17 2014

**NEBRASKA LIQUOR
CONTROL COMMISSION****Application:**

- Must include processing fee of \$45.00 checks made payable to Nebraska Liquor Control Commission (NLCC)
- ✓ • Must include a copy of the lease or deed showing ownership of area to be added. This is still required even if it's the same as on file with original application
- ✓ • Must include simple hand drawn sketch showing existing licensed area and area to be added, must include outside dimensions in feet (not square feet), show direction north.
NO BLUE PRINTS
- May include approval from the local governing body; no addition shall be approved unless endorsed by the local governing body
- Check with your local governing body for any additional requirements that may be necessary in making this request for addition

LIQUOR LICENSE # C-88452 CLASS TYPE C
LICENSEE NAME Moonshine Hole
TRADE NAME The LA Fire Proof Door Co.
PREMISE ADDRESS 325 N. Main St + 343 N. Main St
CITY Fremont
CONTACT PERSON Roxie Kraci
PHONE NUMBER OF CONTACT PERSON 402-720-6294
EMAIL ADDRESS OF CONTACT PERSON roxie.kraci@yahoo.com

No fees Submitted

1400021406

1. What is being added?

Explain the type of addition that is being requested, i.e. beer garden, adding to building

purchased building to the North. would like
to include it in our licensed area.

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NEBRASKA LIQUOR
CONTROL COMMISSION

2. Include a sketch of the area to be added showing:

- ✓ existing licensed area with length & width in feet
- ✓ area to be added with length & width in feet
- ✓ direction north

3. If adding an outdoor area explain:

- ✓ type of fencing
- ✓ height of fence
- ✓ length & width of outdoor area in feet

12.07 Outdoor area shall mean an outdoor area included in licensed premises, which is used for the service and consumption of alcoholic liquors and which is contained by a permanent fence, wall or other barrier approved by the Commission and shall be in compliance with all building and fire, or other applicable local ordinances. Rule Chapter 2-012.07

I acknowledge under oath that the premises as added to comply in all respects with the requirements of the act.
 Neb Rev Stat §53-129

Ronnie Krahl
 Signature of Licensee or Officer

State of Nebraska

County of

DODGE

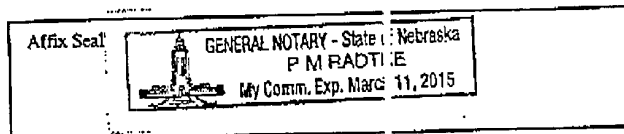
The foregoing instrument was acknowledged before me this

SEPTEMBER 17, 2014 by

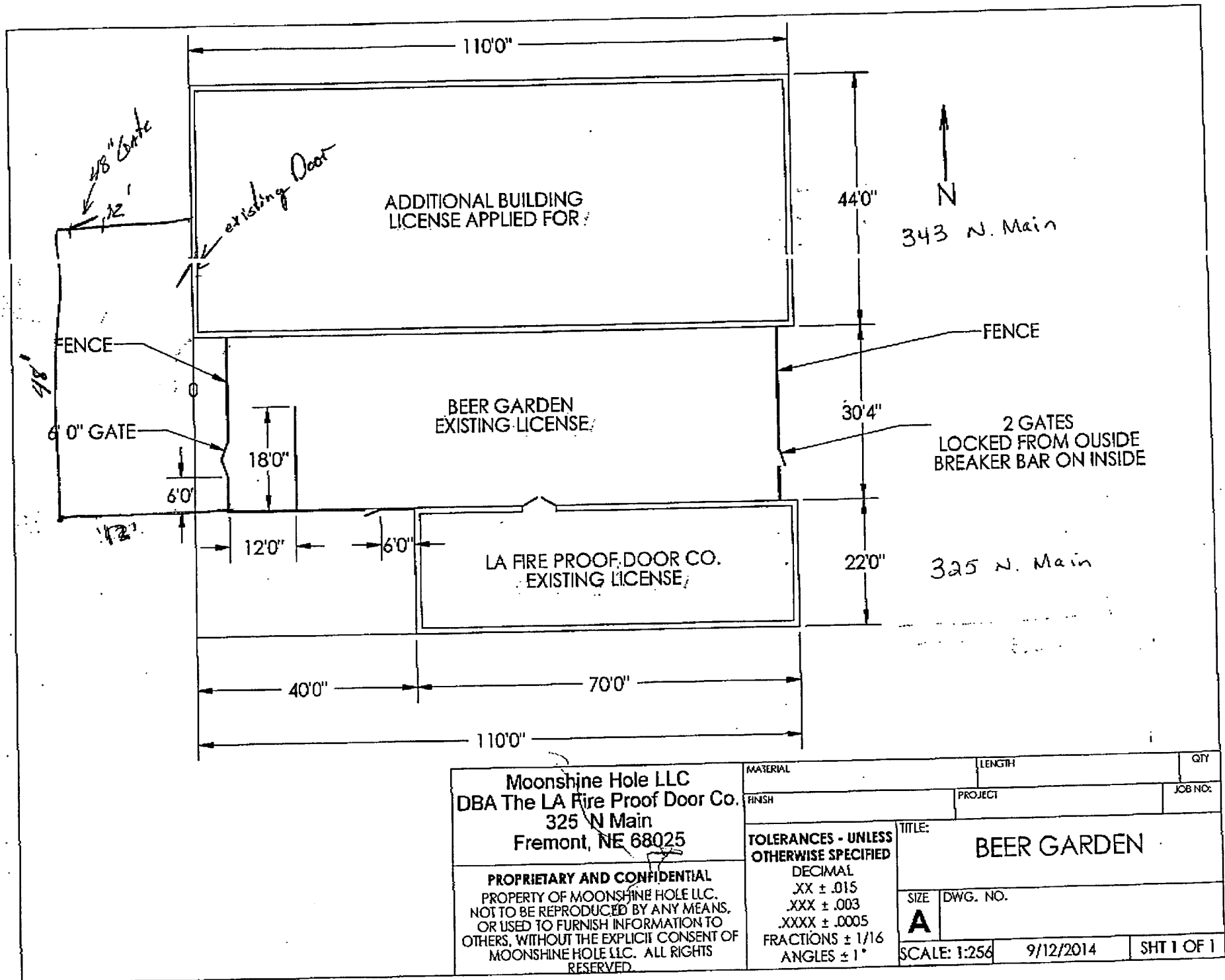
Date

name of person acknowledged (individual(s) signing document)

Pm Radtke
 Notary Public signature



Lease -



Moonshine Hole LLC
DBA The LA Fire Proof Door Co.
325 N Main
Fremont, NE 68025

PROPRIETARY AND CONFIDENTIAL
 PROPERTY OF MOONSHINE HOLE LLC.
 NOT TO BE REPRODUCED BY ANY MEANS,
 OR USED TO FURNISH INFORMATION TO
 OTHERS, WITHOUT THE EXPLICIT CONSENT OF
 MOONSHINE HOLE LLC. ALL RIGHTS
 RESERVED.

MATERIAL		LENGTH	QTY
FINISH		PROJECT	JOB NO:
TOLERANCES - UNLESS OTHERWISE SPECIFIED		TITLE: BEER GARDEN	
		SIZE: A	DWG. NO.
DECIMAL .XX ± .015 .XXX ± .003 .XXXX ± .0005		SCALE: 1:256	
FRACTIONS ± 1/16 ANGLES ± 1°		9/12/2014	
		SHT 1 OF 1	

BUSINESS PROPERTY LEASE

THIS LEASE is entered into this 1 day of August, 2014, between Stone Investment, LLC, Landlord, and Moonshine Hole LLC Tenant.

1. **PREMISES.** Landlord leases to Tenant the real property located at 343 N Main St Fremont, NE 68025 "West" (the "Premises"), containing approximately 4840 square feet of area, on the following terms and conditions.

TERM. This Lease shall be for a term of 96 months, beginning on the 1 day of August, 2014, and ending on the 31 day of August, 2022, unless terminated earlier as provided in this Lease.

If for any reason the Premises is delivered to Tenant on any date before or after the term commencement date, rental for the period between the date of possession and the term commencement date shall be adjusted on a pro rata basis. Such earlier or later taking of possession shall not change the termination date of this Lease. This Lease shall not be void or voidable in the event of a late delivery by Landlord, nor shall Landlord be liable to Tenant for any resulting loss or damage.

USE OF PREMISES. The Premises are leased to Tenant, and are to be used by Tenant, for the purposes of USE, and for no other purpose. Tenant agrees to use the Premises in such a manner as to not interfere with the rights of other tenants in the Real Estate, to comply with all applicable governmental laws, ordinances, and regulations in connection with its use of the Premises, including without limitation all environmental laws, to keep the Premises in a clean and sanitary condition, and to use all reasonable precaution to prevent waste, damage, or injury to the Premises.

2. **RENT.**

- (a) **Base Rent.** The total Base Rent under this Lease is 197,400.00 Dollars.

Tenant agrees to pay rent to Landlord at 10011 "J" Street, Omaha, NE 68124, or at any other place Landlord may designate in writing, in lawful money of the United States, in monthly installments in advance, on the first day of each month, as follows:

\$ 2100.00 per month. This will start at the completion of build out and extend for a period of 96 months.

- (b) **Payment of Rent.** Tenant agrees to pay the Base Rent as and when due, together with Tenant's share of the Operating Expenses and all other amounts required to be paid by Tenant under this Lease. In the event of nonpayment of any amounts due under this Lease, whether or not designated as rent, Landlord, shall have all the rights and remedies provided in this Lease or by law for failure to pay rent.

- (c) **Late Charge.** If the Tenant fails to pay the Base Rent together with the Tenant's share of the Operating Expenses and all other amounts required to be paid by Tenant under this Lease, on or before the fifth day after such payments are due, Tenant agrees to pay Landlord a late charge of 1% of the base rent.

- (d) **Real Estate Taxes & Insurance.** Tenant agrees to maintain and pay for all real estate taxes and insurance equal to or greater than replacement value for the property.

ASSIGNMENT OR SUBLEASE. Tenant shall not assign this Lease or sublet the whole or any part of the Premises, transfer this Lease by operation of law or otherwise, or permit any other person except agents and employees of Tenant to occupy the Premises, or any part thereof, without the prior written consent of Landlord. Landlord may consider any factor it deems relevant in determining whether to withhold consent including, but not limited to, the following: (a) financial responsibility of the new tenant, (b) identity and business character of the new tenant, (c) nature and legality of the proposed use of the Premises. Landlord shall have the right to assign its interest under this Lease or the rent hereunder.

3. **TENANT'S IMPROVEMENTS.** Tenant shall have the right to place partitions and fixtures and make improvements or other alterations in the interior of the Premises at its own expense. Prior to commencing any such work, Tenant shall first obtain the written consent of Landlord for the proposed work. Landlord may, as a condition to its consent, require that the work be done by Landlord's own employees and/or under Landlord's supervision, but at the expense of Tenant, and that Tenant give sufficient security that the Premises will be completed free and clear of liens and in a manner satisfactory to Landlord. Upon termination of this Lease, at Landlord's option, Tenant will repair and restore the Premises to its former condition, excluding any work done by the landlord's contractors, at Tenant's expense, or in such improvements, additions, or alterations installed or made by Tenant, except Tenant's trade fixtures, shall become part of the Premises and the property of the Landlord. Tenant may remove its trade fixtures at the termination of this Lease provided Tenant is not then in default and provided further that Tenant repairs any damage caused by such removal.

4. **REPAIRS.** Tenant agrees to maintain in good condition, and repair as necessary the foundations, exterior walls, the roof all interior and exterior doors, door frames, windows, plate glass, and the heating, air conditioning, plumbing and electrical systems servicing the Premises.

Tenant agrees to do all redecorating, remodeling, alterations, and painting required by it during the term of the Lease at its own cost and expense, to pay for any repairs to the Premises or the Real Estate made necessary by any negligence or carelessness of Tenant or any of its agents or employees or persons permitted on the Real Estate by Tenant, and to maintain the Premises in a safe, clean, neat, and sanitary condition. Tenant shall be entitled to no compensation for inconvenience, injury, or loss of business arising from the making of any repairs by Landlord, Tenant, or other tenants to the Premises or the Real Estate.

5. **CONDITION OF PREMISES.** Except as provided herein, Tenant agrees that no promises, representations, statements, or warranties have been made on behalf of Landlord to Tenant respecting the condition of the Premises, or the manner of operating the Real Estate, or the making of any repairs to the Premises. If taking possession of the Premises, Tenant acknowledges that the Premises were in good and satisfactory condition when possession was taken. Tenant shall, at the termination of this Lease, by lapse of time or otherwise, remove all of Tenant's property and surrender the Premises to Landlord in as good condition as when Tenant took possession, normal wear excepted.

6. **PERSONAL PROPERTY AT RISK OF TENANT.** All personal property in the Premises shall be at the risk of Tenant only. Landlord shall not be liable for any damage to any property of Tenant or its agents or employees in the Premises caused by any reason whatsoever, including, without limitation, fire, the steam, electricity, sewage, gas or odors, or from water, rain, or snow which may leak into, issue or flow into the Premises from any part of the Real Estate, or from any other place, or for any damage done to Tenant's property in moving same to or from the Real Estate or the Premises. Tenant shall give Landlord, or its agents, prompt written notice of any damage to or defects in water pipes, gas or warming or cooling apparatus in the Premises.

7. **LANDLORD'S RESERVED RIGHTS.** Without notice to Tenant, without liability to Tenant for damage or injury to property, person, or business, and without effecting an eviction of Tenant or a disturbance of Tenant's use or possession or giving rise to any claim for set off or abatement of rent, Landlord shall have the right to:

- Change the name or street address of the Real Estate.
- Install and maintain signs on the Real Estate.
- Have access to all mail chutes according to the rules of the United States Post Office Department.
- At reasonable times, to decorate, and to make, at its own expense, repairs, alterations, additions, and improvements, structural or otherwise, in or to the Premises, the Real Estate, or part thereof, and any adjacent Real Estate, land, street, or alley, and during such operations to take into and through the Premises or any part of the Real Estate all materials required, and to temporarily close or suspend operation of entrances, doors, corridors, elevators, or other facilities to do so.
- Possess passkeys to the Premises and access all mechanical areas of the building at any necessary times to maintain the premises.
- Show the Premises to prospective tenants at reasonable times.

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SEP 17 2014

NEBRASKA LIQUOR
CONTROL COMMISSION

- (g) Take any and all reasonable measures, including inspections or the making of repairs, alterations, and additions and improvements to the Premises or the Real Estate, which Landlord deems necessary or desirable for the safety, protection, operation, or preservation of the Premises or the Real Estate.
- (h) Approve all sources furnishing signs, painting, and/or lettering to the Premises, and approve all signs on the Premises prior to installation thereof.
- (i) Establish rules and regulations for the safety, care, order, operation, appearance, and cleanliness of the Real Estate and to make modifications thereto.

8. INSURANCE. Tenant shall not use or occupy the Premises or any part thereof in any manner which could invalidate any policies of insurance now or hereafter placed on the Real Estate or increase the risks covered by insurance on the Real Estate or necessitate additional insurance premiums or policies of insurance, even if such use may be in furtherance of Tenant's business purposes. In the event any policies of insurance are invalidated by acts or omissions of Tenant, Landlord shall have the right to terminate this Lease or, at Landlord's option, to charge Tenant for extra insurance premiums required on the Real Estate on account of the increased risk caused by Tenant's use and occupancy of the Premises. Each party hereby waives all claims for recovery from the other for any loss or damage to any of its property insured under valid and collectible insurance policies to the extent of any recovery collectible under such policies; provided, that this waiver shall apply only when permitted by the applicable policy of insurance.

9. INDEMNITY. Tenant shall indemnify, hold harmless, and defend Landlord from and against, and Landlord shall not be liable to Tenant on account of any and all costs, expenses, liabilities, losses, damages, suits, actions, fines, penalties, demands, or claims of any kind, including reasonable attorney's fees, asserted by or on behalf of any person, entity, or governmental authority arising out of or in any way connected with either (a) a failure by Tenant to perform any of the covenants, terms, or conditions of this Lease required to be performed by Tenant; (b) a failure by Tenant to comply with any laws, statutes, ordinances, regulations, or orders of a governmental authority; or (c) any accident, death, or personal injury, or damage to, or loss or theft of property which shall occur on or about the Premises, or the Real Estate, except as the same may be the result of the negligence of Landlord, its employees, or agents.

LIABILITY INSURANCE. Tenant agrees to procure and maintain continuously during the entire term of this Lease, a policy or policies of commercial general liability insurance from a company or companies acceptable to Landlord, at Tenant's own cost and expense, insuring Landlord and Tenant from all claims, demands or actions; such policy or policies shall in addition to insuring Tenant protect and name the Landlord and Landlord's managing agent as additional insured and shall provide coverage in a combined single limit per occurrence of at least \$1,000,000 for claims, demands or actions for bodily injury, death or property damage made by or on behalf of any person or persons, firm or corporation arising from, related to, or connected with the conduct and operation of Tenant's business in the Premises, or arising out of and connected with the use and occupancy of the Real Estate by the Tenant. All such insurance shall provide that Landlord shall be given a minimum of ten (10) days notice by the insurance company prior to cancellation, termination or change of such insurance. Tenant shall provide Landlord with copies of the policies or certificates evidencing that such insurance in full force and effect and stating the term and provisions thereof. If Tenant fails to comply with such requirements for insurance, Landlord may, but shall not be obligated to, obtain such insurance and keep the same in effect, and Tenant agrees to pay Landlord, upon demand, the premium cost thereof.

10. DAMAGE BY FIRE OR OTHER CASUALTY. If, during the term of this Lease, the Premises shall be so damaged by fire or any other cause except the Tenant's negligent or intentional act so as to render the Premises untenable, the rent shall be abated while the Premises remain untenable; and in the event of such damage, Landlord shall elect whether to repair the Premises or to cancel this Lease, and shall notify Tenant in writing of its election within sixty (60) days after such damage. In the event Landlord elects to repair the Premises, the work or repair shall begin promptly and shall be carried on without unnecessary delay. In the event Landlord elects not to repair the Premises, the Lease shall be deemed canceled as of the date of the damage. Such damage shall not extend the Lease term.

11. CONDEMNATION. If the whole or any part of the Premises shall be taken by public authority under the power of eminent domain, then the term of this Lease shall cease on that portion of the Premises so taken, from the date of possession, and the rent shall be paid to that date, with a proportionate refund by Landlord to Tenant of such rent as may have been paid by Tenant in advance. If the portion of the Premises taken is such that it prevents the practical use of the Premises for Tenant's purposes, then Tenant shall have the right either (a) to terminate this Lease by giving written notice of such termination to Landlord not later than thirty (30) days after the taking, or (b) to continue in possession of the remainder of the Premises, except that the rent shall be reduced in proportion to the area of the Premises taken. In the event of any taking or condemnation of the Premises, in whole or in part, the entire resulting award of damages shall be the exclusive property of Landlord, including all damages awarded as compensation for diminution in value to the leasehold, without any deduction for the value of any unexpired term of this Lease, or for any other estate or interest in the Premises now or hereafter vested in Tenant.

12. DEFAULT OR BREACH. Each of the following events shall constitute a default or a breach of this Lease by Tenant:

- (a) If Tenant fails to pay Landlord any rent or other payments when due hereunder;
- (b) If Tenant vacates or abandons the Premises;
- (c) If Tenant files a petition in bankruptcy or insolvency or for reorganization under any bankruptcy act, or voluntarily takes advantage of any such act or answer or otherwise, makes an assignment for the benefit of creditors;
- (d) If involuntary proceedings under any bankruptcy or insolvency act shall be instituted against Tenant, or if a receiver or trustee shall be appointed of all or substantially all of the property of Tenant, and such proceedings shall not be dismissed or the receivership or trusteeship vacated within thirty (30) days after the institution or appointment; or
- (e) If Tenant fails to perform or comply with any other term or condition of this Lease, or any of the rules and regulations established by Landlord, and if such nonperformance shall continue for a period of ten (10) days after notice thereof by Landlord to Tenant, time being of the essence.

13. EFFECT OF DEFAULT. In the event of any default or breach hereunder, in addition to any other right or remedy available to Landlord, either at law or in equity, Landlord may exercise any one or more of the following rights:

- (a) Landlord may re-enter the Premises immediately and remove the property and personnel of Tenant, and shall have the right, but not the obligation, to store such property in a public warehouse or at a place selected by Landlord, at the risk and expense of Tenant.
- (b) Landlord may retake the Premises and may terminate this Lease by giving written notice of termination to Tenant. Without such notice, Landlord's retaking will not terminate the Lease. On termination, Landlord may recover from Tenant all damages proximately resulting from the breach, including the cost of recovering the Premises and the difference between the rent due for the balance of the Lease term as though the Lease had not been terminated and the fair market rental value of the Premises for the balance of the Lease term as though the Lease had not been terminated which sum shall be immediately due Landlord from Tenant.
- (c) Landlord may relet the Premises or any part thereof for any term without terminating this Lease, at such rent and on such terms as it may, choose. Landlord may make alterations and repairs to the Premises. In addition to Tenant's liability to Landlord for breach of this Lease, Tenant shall be liable for all expenses of the reletting, for any alterations and repairs made, and for the rent due for the balance of the Lease term, which sum shall be immediately due Landlord from Tenant. The amount due Landlord will be reduced by the net rent received by Landlord during the remaining term of this Lease from reletting the Premises or any part thereof. If during the remaining term of this Lease Landlord receives more than the amount due Landlord under this sub-paragraph, the Landlord shall pay such excess to Tenant, but only to the extent Tenant has actually made payment pursuant to this sub-paragraph.

14. SURRENDER - HOLDING OVER. Tenant shall, upon termination of this Lease, whether by lapse of time or otherwise, peacefully and promptly surrender the Premises to Landlord. If Tenant remains in possession after the termination of this Lease, without a written lease duly executed by the parties, Tenant shall be deemed a trespasser. If Tenant pays, and Landlord accepts, rent for a period after termination of this Lease, Tenant shall be deemed to be occupying the Premises only as a tenant from month to month, subject to all the terms, conditions, and agreements of this Lease, specified in the lease immediately before termination.

15. SUBORDINATION AND ATTORNMEN. Landlord reserves the right to place liens and encumbrances on the Premises superior in lien and effect to this Lease. This Lease, and all rights of Tenant hereunder, shall, at the option of Landlord, be subject and subordinate to any liens and encumbrances now or hereafter imposed by Landlord upon the Premises or the Real Estate or any part thereof, and Tenant agrees to execute, acknowledge, and deliver to Landlord, upon request, any and all instruments that may be necessary or proper to subordinate this Lease and all rights herein to any such lien or encumbrance as may be required by Landlord.

In the event any proceedings are brought for the foreclosure of any mortgage on the Premises, Tenant will attend to the purchaser at the foreclosure sale and recognize such purchaser as the Landlord under this Lease. The purchaser, by virtue of such foreclosure, shall be deemed to have assumed, as substitute Landlord, the

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NEBRASKA LIQUOR
CONTROL COMMISSION

terms and conditions of this Lease until the resale or other disposition of its interest. Such assumption, however, shall not be deemed an acknowledgment by the purchaser of the validity of any then existing claims of Tenant against the prior Landlord.

Tenant agrees to execute and deliver such further assurances and other documents, including a new lease upon the same terms and conditions contained herein, confirming the foregoing, as such purchaser may reasonably request. Tenant waives any right of election to terminate this Lease because of any such foreclosure proceedings.

NOTICES. Any notice or demands given hereunder shall be in writing and personally delivered or sent by first class mail postage prepaid to Landlord at 1001 J Street, Omaha, NE 68127 and also to Tenant at 325 N Main St, Fremont, NE 68025 or at such other address as either party may from time to time designate in writing. Each such notice shall be deemed to have been given at the time it shall be personally delivered to such address or deposited in the United States mail in the manner prescribed herein.

16. **COMPLIANCE WITH ADA.** Tenant shall be responsible for all costs of complying with the Americans with Disabilities Act (ADA) and all similar laws and regulations within the Premises, including the removal of barriers which do not necessitate the removal or modification of load-bearing walls.
17. **SUBSTITUTION OF OTHER PREMISES.** Landlord may upon thirty days notice to Tenant substitute for the Premises other premises in the Real Estate (the "New Premises"), provided that the New Premises shall be reasonably usable for Tenant's business hereunder; and, if Tenant is already in occupancy of the Premises, then in addition Landlord shall pay the reasonable expenses of moving Tenant from the Premises to the New Premises and for improving the New Premises so that they are substantially similar to the Premises.
18. **MISCELLANEOUS.**
 - (a) **Binding on Assigns.** All terms, conditions, and agreements of this Lease shall be binding upon, apply, and inure to the benefit of the parties hereto and their respective heirs, representatives, successors, and permitted assigns.
 - (b) **Amendment in Writing.** This Lease contains the entire agreement between the parties and may be amended only by subsequent written agreement.
 - (c) **Waiver - None.** The failure of Landlord to insist upon strict performance of any of the terms, conditions and agreements of this Lease shall not be deemed a waiver of any of its rights or remedies hereunder and shall not be deemed a waiver of any subsequent breach or default of any of such terms, conditions, and agreements. The doing of anything by Landlord which Landlord is not obligated to do hereunder shall not impose any future obligation on Landlord nor otherwise amend any provisions of this Lease.
 - (d) **No Surrender.** No surrender of the Premises by Tenant shall be effected by Landlord's acceptance of the keys to the Premises or of the rent hereunder, or by any other means whatsoever, without Landlord's written acknowledgment that such acceptance constitutes a surrender.
 - (e) **Captions.** The captions of the various paragraphs in this Lease are for convenience only and do no define, limit, describe, or construe the contents of such paragraphs.
 - (f) **Applicable Law.** This Lease shall be governed by and construed in accordance with the laws of the State of Nebraska.
 - (g) **Partial Invalidity.** If any provision of this Lease is invalid or unenforceable to any extent, then that provision and the remainder of this Lease shall continue in effect and be enforceable to the fullest extent permitted by law.

OTHER PROVISIONS. None

Any additional provisions of this Lease shall be in writing and attached as an addendum hereto.

Until this Lease is executed on behalf of all parties hereto, it shall be construed as an offer to lease by Tenant to Landlord.

IN WITNESS WHEREOF, the parties hereto have executed this Lease the day and year first above written.

Landlord

Tenant

Tenant

By:

By:

Its:

Its:

Dated this 1 day of August, 2014.

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NEBRASKA LIQUOR
CONTROL COMMISSION

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL /BOARD OF PUBLIC WORKS

FROM: GENERAL MANAGER, DEPARTMENT OF UTILITIES

DATE: OCTOBER 6, 2014

SUBJECT: OUTSIDE CITY WATER CONNECTION 460 WEST 52ND ST. (LOT 1, BLK. 2, J & L SUB.)

Recommendation: Move to approve request with \$4,300.00 connection fee

Background: The Municipal Code requires that the City Council approve water and sewer connections for property located outside the City Limits and that the appropriate connection fees be charged.

The recommended connection fee is the estimated cost this property would be assessed if water was extended along the property in 52nd Street.

#13

**APPLICATION TO THE CITY OF FREMONT, NEBRASKA
FOR WATER CONNECTION TO SERVE PROPERTY OUTSIDE OF THE CORPORATE LIMITS**

NO APPLICATION WILL BE APPROVED UNLESS ALL SIGN BEFORE A NOTARY PUBLIC

From: Country Builders LLC Date: 10-01-14

To the City of Fremont, Nebraska

ATTENTION: Board of Public Works

The undersigned apply herewith for WATER connection, and for the purpose do state, warrant, affirm and agree as follows:

The proposed location of the WATER connection is: 460 W 52 ST

The undersigned, hereinafter referred to as **OWNER**, does own the described property and desires to have said property served by allowing it to be connected to the WATER system.

Which property is now being or will be used for the following purposes: Storage building
with office (402) 720-9464

The **OWNER** is required to pay all expenses in making the WATER connection and further agrees to pay prescribed rate for the privilege of making a WATER connection together with the fees as set forth by City ordinance and subsequent revisions.

The **OWNER** agrees that where a connection to the City WATER System is made, they will pay prescribed rate for the connection, together with the tap and meter fees as specified by resolution of the City Council.

The **OWNER** does hereby agree to submit plans and specifications of said WATER connection, and further agrees to not commence work thereon until said plans and specifications have been approved by the proper authorities of said City of Fremont, Nebraska.

The **OWNER** does hereby further grant to the City permission to enter in and upon said premises for all purposes relating to WATER and does hereby agree to conform to and comply with all laws, ordinances, resolutions, rules, and regulations which have been or may be at any time hereafter enacted by the Government, State or City, relative to WATER service.

The **OWNER** does hereby agree to pay any and all inspection fees for plumbing inspections as set forth by the ordinances of the City of Fremont, Nebraska.

The **OWNER** does hereby further agree that in the event that this application is granted that the **OWNER** hereby waives all claims and demands for damages at law or in equity against the City by reason of or on account of said WATER connection and on this application being honored the terms thereof shall bind the **OWNER** and the successive **OWNERS** of said premises.

The City reserves the right to disconnect and discontinue service upon **OWNERS** failure to comply with any ordinance of rule of the City of Fremont, Nebraska. Further, should the laws of the State of Nebraska or ordinances of the City make it necessary to disconnect or discontinue service, or should the City of the Board of Public Works determine that the WATER facilities of the City require discontinuing said services, the City reserves the right to do so upon one months notice, and the undersigned agree that the City and Board of Public Works may in its sole discretion determine that supplying of these services to the undersigned shall be terminated.

REQUEST

I, (we) Aaron Krepel
A partnership or corporation for ourselves, heirs, successors, and assigns, owner of the following described real estate:

Hereby respectfully request that the above-described property be annexed to the City of Fremont, Nebraska, at such time as the City desires.

I, (we) hereby agree that this request shall be binding on our heirs, personal representatives, successors, and assigns.

Owners Signature: [Signature] Date: 10-1-14

Owners Signature: _____ Date: _____

Owners Signature: _____ Date: _____

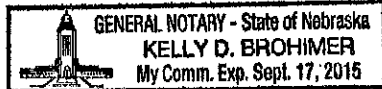
STATE OF NEBRASKA }

COUNTY OF DODGE }

On this 1st day of October, 2014, before me, the undersigned a Notary Public, duly commissioned and qualified for said County, personally came

Aaron Krepel
to me known to be the identical person or persons whose name is or names are subscribed to the foregoing instruments, and acknowledged the execution thereof to be his, her or their voluntary act and deed.

WITNESS my hand and Notarial Seal the day and year last above written.



Kelly D. Brohimer
Notary Public

My commission expires: 9-17-15

WATER Assessment Fee \$ 40.00 Date Paid: _____

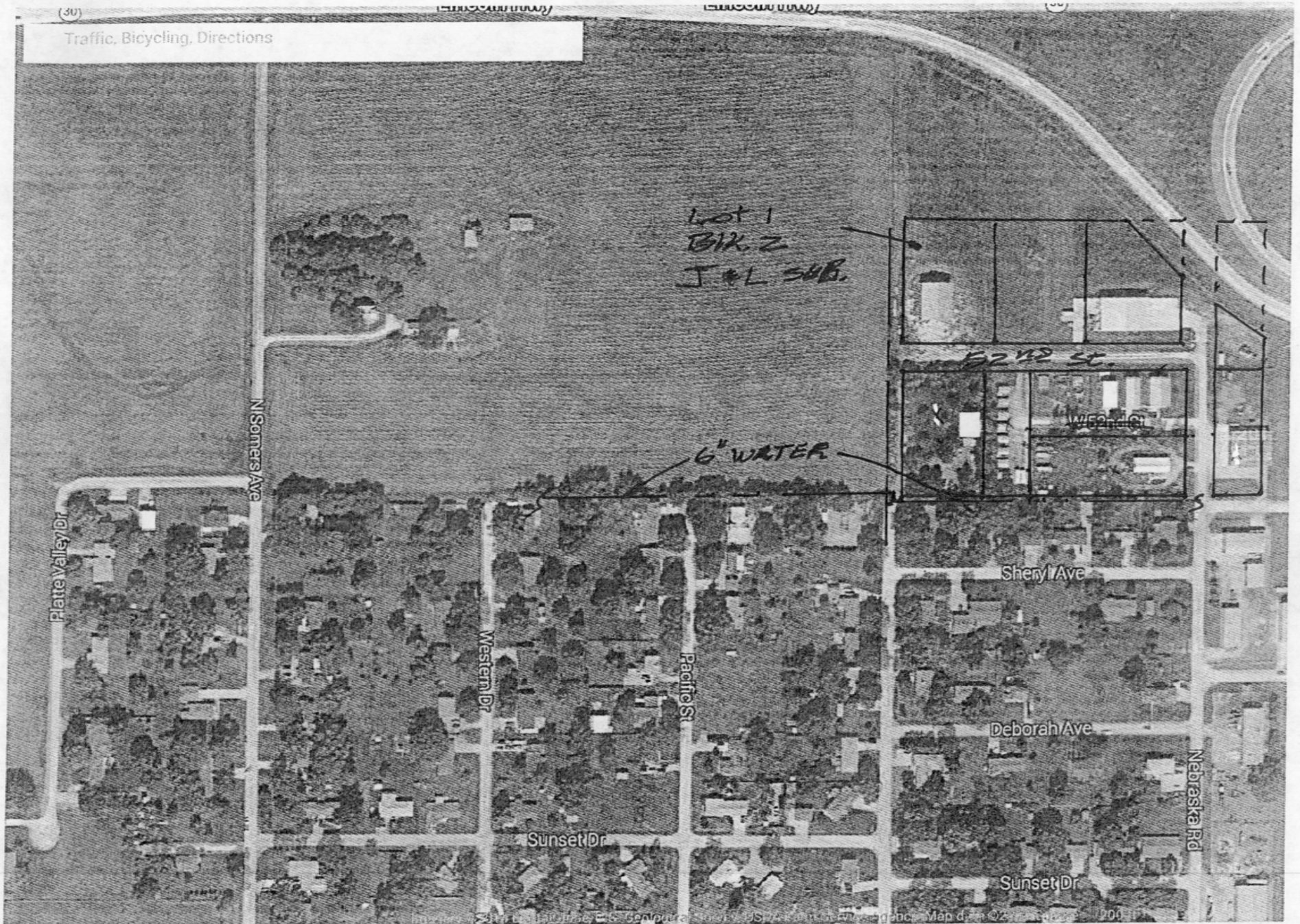
Outside Corporate Limits WATER Application Fee \$40.00 Date Paid: October 1, 2014

BOARD OF PUBLIC WORKS: Approved Date: _____ Denied Date: _____

BY: General Manager, DEPARTMENT OF UTILITIES

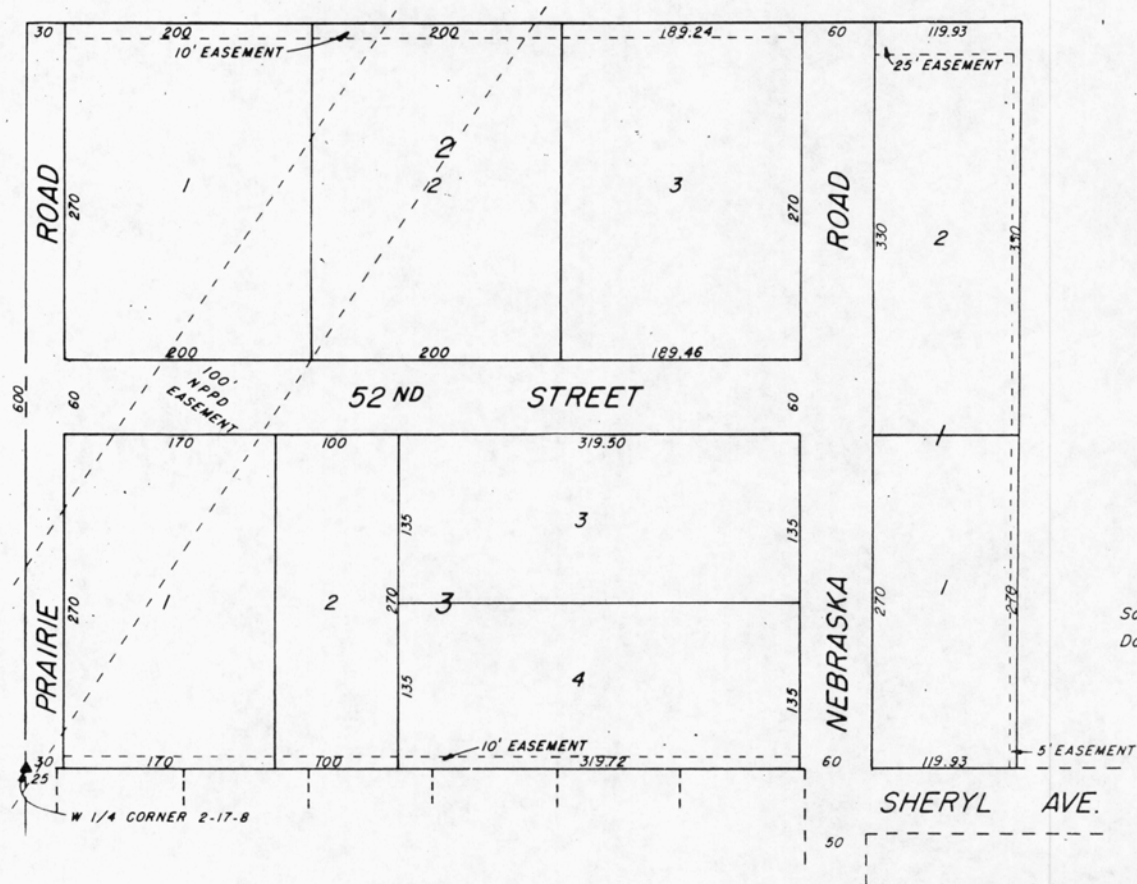
CITY OF FREMONT, CITY COUNCIL: Approved date: _____ Denied Date: _____

BY: Mayor, CITY OF FREMONT



J & L SUBDIVISION

LOCATED IN SW 1/4, NW 1/4, 2-17-8



Scale: 1"=100
Date 4-9-77

DEDICATION

KNOW ALL MEN BY THESE PRESENTS: That Lloyd and June M. Krivohlavek, husband and wife; and Erna VonSeggern being the record title owners of a tract of land located in the southwest 1/4 of the northwest 1/4 of Section 2, Township 17 North, Range 6 East of the 6th P.M., containing 10.01 acres more or less, and being more particularly described as follows: Beginning at the 1/4 corner of said section, and assuming the south line of said 1/4, 1/4 to bear due east; thence N 90° 00' 00" E 799.65 feet; thence N 00° 00' 20" W 600.00 feet; thence S 89° 58' 38" W 799.17 feet; thence S 00° 02' 23" W 600.00 feet, along the west line of said 1/4 1/4 to the point of beginning, do hereby subdivide and plat said tract as "J" and "L" Subdivision in Dodge County, Nebraska, consisting of three blocks, their numbers and dimensions shown on this plat.

We hereby dedicate for perpetual use by the public, Nebraska Road and 52nd Street which are 60 feet in width, and the 30 feet of this tract as the east one half of Prairie Road. The easements shown on this plat are for the use of any public or private utility company for the sole purpose of installing and maintaining utility lines and pipes, except the 100 foot easement previously acquired by Nebraska Public Power District, and for reciprocal use of abutting property owners.

By affixing our signatures hereto, we hereby acknowledge this dedication and platting to be our voluntary act and deed.

Lloyd Krivohlavek
LLOYD KRIVOHLAVEK

Erna von Seggern
ERNA VON SEGGERN

June M. Krivohlavek
JUNE M. KRIVOHLAVEK

STATE OF NEBRASKA)
COUNTY OF DODGE) SS

NOTARY

On this 9th day of May 1977, before me a Notary Public in and for said county, personally came Lloyd Krivohlavek, June M. Krivohlavek, and Erna Von Seggern to me personally known to be the identical persons whose names are affixed hereto and grantors do hereby acknowledge this dedication and platting to be their voluntary act and deed.

My Commission Expires 1-12-80

[Signature]
NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

I hereby certify that I personally supervised the survey and platting of "J" and "L" Subdivision in Dodge County, Nebraska,

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Jean Kaup Van Iperen, Office Services Associate

DATE: October 9, 2014

SUBJECT: Appointment to Housing Agency

Recommendation: Move to approve the recommendation of the Mayor to reappoint Stan Darling to the Housing Agency for a five year term ending September 2019.

Background: Mr. Darling has agreed to serve another term.

#14

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: John Hemschemeyer, Director of Human Resources

DATE: October 8, 2014

SUBJECT: City Physician

Recommendation: Move to approve the recommendation of the Mayor to appoint Dr. Richard Seitz as City Physician to fill an unexpired term ending December 9, 2014.

Background: Appointment necessary due to resignation of Dr. Martin Sears. Per Fremont Municipal Code, the City Physician is appointed.

#15

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK /TREASURER

DATE: OCTOBER 9, 2014

SUBJECT: NOVEMBER 11, 2014 COUNCIL MEETING

Recommendation: Move to set the date of November 12, 2014 for the first City Council meeting of November due to November 11, 2014 being a holiday.

Background: Fremont Municipal Code allows for the rescheduling of City Council meetings

§2-102 Regular Meetings.

The regular meetings of the City Council shall be held in the City Council Chambers on the second (2nd) and last Tuesday of each month. The regular meetings may be preceded by an informal study session with the formal meeting beginning at 7:00 p.m. or as soon thereafter as called to order by the Mayor. Any such study session shall be included on the agenda for the meeting, included in all published notices, and open to the public. At such informal study sessions, any or all agenda items may be discussed by staff and/or Council members. The Council shall neither take nor agree to take any formal action at such informal study sessions. The City Council may, by a majority vote of all members elected to the Council cancel or reschedule the regular meetings scheduled for the second or last Tuesdays in November, or the regular meeting scheduled for the last Tuesday in December. In such case, notice of cancellation or rescheduled meeting will be given in the same manner as required for regularly scheduled Council meetings. In the event that inclement weather or other conditions present a danger to public health or safety, any meeting may be rescheduled by the Mayor. In such case, notice of rescheduled meeting will be given in the same manner as required for regularly scheduled Council meetings.

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Justin Zetterman, Interim Planning Director

DATE: October 10, 2014

SUBJECT: Requested Zoning Ordinance Text Amendment of Article 2

Recommendation: Hold second reading

Background: The staff requests an amendment to the Fremont Zoning Ordinance No. 3939 to accommodate more Home-Based Businesses and Home Occupations in residential districts throughout the City.

In general, there is a national movement towards allowing more live/work residences. The draft Uniform Development Ordinance (UDO) that the City of Fremont is in the process of completing is more open to Home-Based Businesses and Home Occupations than the current code. Thus, staff recommends updating the current code to match the proposed code within the UDO. This not only opens up more opportunities, it also helps to bring existing home-based businesses and home occupations into compliance. Article 2 is revised to provide separate definitions for a Home-Based Business and a Home Occupation:

Home-Based Business means a business that is operated out of a dwelling unit, which involves employment of up to two unrelated individuals who do not live in the dwelling unit. These uses are limited to office or service businesses. Home-based business does not include:

Wholesale or retail sales, except for sales distributors who fill orders for catalog type products and then make deliveries to the customer's home (as opposed to customers coming to the place of business.)

Activities that require commercial deliveries from trucks (as opposed to parcel services.)

Home Occupation: means any service, profession or occupation, which is conducted in a residence but does not change the essential character of the residential use. Home occupation does not include:

Wholesale or retail sales, except for sales distributors who fill orders for catalog type products and then make deliveries to the customer's home (as opposed to customers coming to the place of business.)

Activities that require commercial deliveries from trucks (as opposed to parcel services.)

Businesses that employ anyone other than residents of the dwelling unit.

On September 15th, Planning Commission voted against the proposed change by a vote of 3 to 4.

The proposed zoning regulation text change is consistent with prudent planning practice and the policies of the Comprehensive Plan.

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, TO AMEND ARTICLE 2 PERTAINING TO DEFINITIONS OF ZONING ORDINANCE 3939 OF THE CITY OF FREMONT, NEBRASKA, AND PROVIDE FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA;

SECTION I. REZONE. That Article 2 of Zoning Ordinance No. 3939 of the City of Fremont, Nebraska be amended to read as follows:

2

ARTICLE TWO

DEFINITIONS

201 Purpose

Article Two shall be known as the Definitions. The purpose of these provisions is to promote consistency and precision in the interpretation of the Zoning Ordinance. The meaning and construction of words as set forth shall apply throughout the Zoning Ordinance, unless where modified in a specific section or where the context of such words or phrases clearly indicates a different meaning or construction.

202 General Construction of Language

The following general rules of construction apply to the text of the Zoning Ordinance.

a. Headings

Section and subsection headings contained herein are provided for illustrative purposes only and shall not be deemed to limit, govern, modify, or otherwise affect the scope, meaning, or intent of any provision of the Zoning Ordinance.

b. Illustration

In the case of any real or apparent conflict between the text of the Ordinance and any illustration explaining the text, the text shall apply.

c. Shall and May

“Shall” is always mandatory. “May” is discretionary.

d. Tenses and Numbers

Words used in the present tense include the future tense. Words used in the singular include

the plural, and the plural the singular, unless the context clearly indicates the contrary.

e. Conjunctions

Unless the context clearly indicates the contrary, the following conjunctions shall be interpreted as follows:

1. "And" indicates that all connected items or provisions apply.
2. "Or" indicates that the connected items or provisions may apply singly or in any combination.
3. "Either ... or" indicates that the connected items or provisions shall apply singly but not in combination.

f. Referenced Agencies

Unless otherwise indicated, all public officials, bodies, and agencies referred to in this Chapter are those of the City of Fremont.

203 Definition of Terms

For the purposes of this Zoning Ordinance, certain terms and words are hereby defined. Certain sections contain definitions which are additional to those listed here. Where terms are not specifically defined, their ordinarily accepted meaning or meanings implied by their context shall apply.

204 A

1. **Abutting:** Having lot lines or district boundaries in common, including property separated by a public street or alley. Used interchangeably with adjacent.
2. **Accessory Structure:** A structure which is incidental to and customarily associated with a specific principal use or building on the same site.
3. **Accessory Use:** A use which is incidental to and customarily associated with a specific principal use on the same site.
4. **Addition:** Any construction which increases the size of a building or structure in terms of site coverage, height, length, width, or gross floor area.
5. **Agent of Owner:** Any person showing written verification that he/she is acting for, and with the knowledge and consent of, a property owner.
6. **Alley:** A public right of way, other than a street and twenty feet or less in width which is used as a secondary means of access to abutting property.

7. Alteration: Any construction or physical change in the internal arrangement of spaces, the supporting members, the positioning on a site, or the appearance of a building or structure.
8. Apartment: A housing unit within a building designed for and suitable for occupancy by only one family. Apartments are generally located within multi-family residential buildings.
9. Attached: Having one or more walls in common with a principal building or connected to a principal building by an integral architectural element, such as a covered passageway; facade wall extension; or archway.

205 B

1. Base Zoning District: A district established by this Ordinance which prescribes basic regulations governing land use and site development standards. No more than one Base Zoning District shall apply to any individually platted lot or parcel unless the lot or parcel is part of a Planned Unit Development.
2. Basement: A level of a building below street level that has at least one-half of its height below the surface of adjacent ground. A basement used for independent dwelling or business purposes shall be considered a story for the purposes of height measurement.
3. Beginning of Construction: The initial incorporation of labor and materials within the foundation of a building or structure.
4. Block: An area of land within a subdivision that is entirely bounded by streets, by streets and the exterior boundaries of the subdivision, or by a combination of the above with a watercourse, lake, railroad, or other significant natural or man-made barrier, and which has been designated as such on a plat for the purposes of legal description of a property.
5. Block Face: The property abutting one side of a street and lying between the two nearest intersection streets, or between the one nearest intersecting street and a major physical barrier, including, but not limited to, railroads, streams, lakes, or the corporate limits of Fremont.
6. Board of Adjustment: A body, established by the City expressly for the purpose of granting relief from situations of hardship and to hear appeals as provided by this Ordinance.
7. Bufferyard: A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.
8. Building: A structure entirely separated from any other structure by space or by walls and having a roof and built to provide shelter, support, or enclosure for persons or property.
9. Building Coverage: The area of a site covered by buildings or roofed areas, excluding allowed projecting eaves, balconies, and similar features.
10. Building Envelope: The three-dimensional space within which a structure is permitted

to be built on a lot after all zoning and other applicable municipal requirements have been met.

11. Building Line: The outer boundary of a building established by the location of its exterior walls.
12. Building Official: The city official, designated by the City Manager, who is responsible for the enforcement of the applicable building code and conditional uses.
13. Building Permit: A document that must be issued by the Building Official prior to erecting, constructing, enlarging, altering, repairing, moving, improving, removing, converting, or demolishing any building or structure regulated by this Ordinance or by the applicable building codes of the City of Fremont. Issuance of a building permit follows review of plans by the Building Official to determine that the proposed use of building or land complies with the provisions of the Zoning Ordinance.
14. Business: Activities that include the exchange or manufacture of goods or services on a site.
15. Business Center: A building containing more than one commercial business, or any group of non-residential buildings within a common development, characterized by shared parking and access.

206

C

1. Certificate of Occupancy: An official certificate issued by the Building Official or his/her designee prior to occupancy of a completed building or structure, upon finding of conformance with the applicable building code and this Zoning Ordinance.
2. Change of Use: The replacement of an existing use by a new use.
3. City: The City of Fremont, Nebraska.
4. City Council: The City Council of Fremont, Nebraska.
5. Common Area: An area held, designed, and designated for common or cooperative use within a development.
6. Common Development: A development proposed and planned as one unified project not separated by a public street or alley.
7. Common Open Space: Land within or related to a development that is not individually owned or dedicated for public use, designed and generally intended for the common use of the residents of the development.

8. Compatibility: The degree to which two or more different land use types are able to exist together in close proximity, with no one use having significant negative effects on any other use.
9. Comprehensive Plan: The duly adopted Comprehensive Development Plan of the City of Fremont.
10. Condominium: An ownership regime whereby the title to each unit of occupancy is held in separate ownership, and the real estate on which the units are located is held in common ownership solely by the owners of the units with each owner having an undivided interest in the common real estate. Condominiums may include residential, commercial, office, or industrial uses.
11. Conservation Development: A development design technique that concentrates buildings in specific areas on a site to allow remaining land to be used for recreation, common open space, or the preservation of historically or environmentally sensitive features.
12. Conservation (or Cluster) Subdivision: Wholly or in majority, a residential subdivision that permits a reduction in lot area, setback, or other site development regulations, provided 1) there is no increase in the overall density permitted for a conventional subdivision in a given zoning district, and 2) the remaining land area is used for common space.
13. County: Dodge County, Nebraska.
14. Courtyard: An open, unoccupied space, bounded on two or more sides by the walls of the building.
15. Conventional Subdivision: A subdivision which literally meets all nominal standards of the Zoning and Subdivision Ordinances for lot dimensions, setbacks, street frontage, and other site development regulations.
16. Creative Subdivision: A subdivision which, while complying with the Subdivision Ordinance, diverges from nominal compliance with site development regulations in the Land Development Ordinance. Creative subdivisions imply a higher level of pre-planning than conventional subdivisions. They may be employed for the purpose of environmental protection or the creation of superior community design. Types of Creative Subdivisions include Conservation Subdivisions and Traditional Neighborhood Districts.

207 D

1. Density: The amount of development per specific unit of a site.
2. Drive-in Services: Uses which involve the sale of products or provision of services to occupants in vehicles.
3. Detached: Fully separated from any other building or jointed to another building in such a manner as not to constitute an enclosed or covered connection.
4. Driveway: A permanently paved, surfaced area providing vehicular access between a street and an off-street parking or loading area.
5. Dwelling Unit: One or more rooms, designed, occupied or intended for occupancy as a

separate living quarter, with cooking, sleeping, and sanitary facilities provided within the dwelling unit for the exclusive use of a single family, as defined in Section 17.209(1), maintaining a household.

208 E

1. Easement: A privilege or right of use granted on, above, under, or across a particular tract of land for a specific purpose by one owner to another owner, public or private agency, or utility.
2. Enclosed: A roofed or covered space fully surrounded by walls.

209 F

1. Family: One or more persons living together and sharing common living, sleeping, cooking, and eating facilities within an individual housing unit, no more than 4 of whom may be unrelated. The following persons shall be considered related for the purpose of this ordinance:
 - a. Persons related by blood, marriage, or adoption;
 - b. Persons residing with a family for the purpose of adoption;
 - c. Not more than eight persons under 19 years of age, residing in a foster house licensed or approved by the State of Nebraska.
 - d. Not more than eight persons 19 years of age or older residing with a family for the purpose of receiving foster care licensed or approved by the State of Nebraska.
 - e. Person(s) living with a family at the direction of a court.
2. Fascia: A parapet-type wall used as part of the facade of a flat-roofed building and projecting no more than six feet from the immediately adjacent building face. Such a wall shall enclose at least three sides of the projecting flat roof and return to the parapet wall or the building.
3. Federal: Pertaining to the Government of the United States of America.
4. Floor Area Ratio: The quotient of gross floor area of all buildings on a site divided by gross site area of the site.
5. Frontage: The length of a property line of any one premise abutting and parallel to a public street, private way, or court from which access is permitted.

210 G

1. Garage: An accessory building or portion of a main building used primarily for storage of motor vehicles.
2. Grade: The horizontal elevation of the finished surface of ground, paving, or sidewalk adjacent to any building line.
 - a. For buildings having walls facing one street only, the grade shall be the elevation of the ground at the center of the wall facing the street.
 - b. For buildings having walls facing more than one street, the grade shall be the average elevation of the grades of all walls facing each street.
 - c. For buildings having no walls facing a street, the grade shall be the average level of the finished surface of the ground adjacent to the exterior walls of the building.
3. Gross Floor Area: The total enclosed area of all floors of a building, measured to the inside surfaces of the exterior walls. This definition excludes the areas of basements, elevator shafts, airspaces above atriums, and enclosed off-street parking and loading areas serving a principal use. The floor area of buildings devoted to bulk storage of materials including, but not limited to, grain elevators and petroleum storage tanks, shall be determined on the basis of height in feet, with each ten feet of height being equivalent to one floor.

211 H

1. Height: The vertical distance from the established grade to the highest point of the coping of a flat roof, the deck line of a mansard roof, or to the average height between eaves and the ridge for gable, hip, shed, or gambrel roofs. For other cases, height shall be measured as the vertical distance from the established grade to the highest point of a structure as herein defined. Where a building or structure is located on a slope, height shall be measured from the average grade level adjacent to the building or structure.
2. Home-Based Business means a business that is operated out of a dwelling unit, which involves employment of up to two unrelated individuals who do not live in the dwelling unit. These uses are limited to office or service businesses. Home-based business does not include:
 - a. Wholesale or retail sales, except for sales distributors who fill orders for catalog type products and then make deliveries to the customer's home (as opposed to customers coming to the place of business.)
 - b. Activities that require commercial deliveries from trucks (as opposed to parcel services.)

3. Home Occupation: means any service, profession or occupation, which is conducted in a residence but does not change the essential character of the residential use. Home occupation does not include:
 - a. Wholesale or retail sales, except for sales distributors who fill orders for catalog type products and then make deliveries to the customer's home (as opposed to customers coming to the place of business.)
 - b. Activities that require commercial deliveries from trucks (as opposed to parcel services.)
 - c. Businesses that employ anyone other than residents of the dwelling unit.
4. Housing Unit or Dwelling Unit: A building or portion of a building arranged for and intended for occupancy as an independent living facility for one family, including permanent provisions for cooking.

212 I

1. Impervious coverage: The total horizontal area of all buildings, roofed or covered spaces, paved surface areas, walkways and driveways, and any other site improvements that decrease the ability of the surface of the site to absorb water, expressed as a percent of site area. The surface water area of pools is excluded from this definition.

213 J

214 K

215 L

1. Landscaped Area: The area within the boundaries of a given lot, site or common development consisting primarily of plant material, including but not limited to grass, trees, shrubs, vines, ground cover, and other organic plant materials; or grass paver masonry units installed such that the appearance of the area is primarily landscaped.
 - a. Perimeter Landscaped Area: Any required landscaped area that adjoins the exterior boundary of a lot, site or common development.
 - b. Interior Landscaped Area: Any landscaped area within a site exclusive of required perimeter landscaping.
2. Lane: An approved private right-of-way which provides access to residential properties and meets at least three of the following conditions:
 - a. Serves twelve or fewer housing units or platted lots.
 - b. Does not function as a local street because of its alignment, design, or location.

- c. Is completely internal to a development.
 - d. Does not exceed 600 feet in length.
- 3. Loading Area: An off-street area used for the loading or unloading of goods from a vehicle in connection with the use of the site on which such area is located.
- 4. Lot: A parcel of property with a separate and distinct number or other identifying designation which has been created, assigned and recorded in the Office of the Dodge County Register of Deeds. Each individual lot is subject to the provisions of a particular base Zoning District, and shall have frontage on an improved public street or approved private street, except as provided in an approved Planned Unit Development and/or Creative Subdivision.
 - a. Corner Lot: A lot located at the junction of at least two streets, private ways or courts or at least two segments of a curved street, private way or court, at which the angle of intersection is no greater than 135 degrees.
 - b. Double Frontage Lot: A lot, other than a corner lot, having frontage on two streets, private ways or courts. Primary access shall be restricted on a double frontage lot to the minor of the two streets or to the front line as determined at time of platting or as defined by this ordinance. (Also known as a Through Lot)
 - c. Interior Lot: A lot other than a corner lot.
 - d. Common Development Lot: When two or more contiguous lots are developed as part of a single development, these lots may be considered a single lot for purposes of this ordinance.
- 5. Lot Area: The total horizontal area within the lot lines of a lot.
- 6. Lot Depth: The mean horizontal distance measured between the front and rear lot lines.
- 7. Lot Line: A property boundary line(s) of record that divides one lot from another lot or a lot from the public or private street right-of-way or easement. Once established, lot lines may not be redefined due to a change of address which would result in a new definition of the prior defined lot lines.
 - 1. Front Lot Line: The lot line separating a lot and a public or private street right-of-way or easement.
 - 1. For an interior lot, the lot line separating the lot from the right-of-way or easement.
 - 2. For a corner lot, the shorter lot line abutting a public or private street or easement. In instances of equal line dimension, the front lot line shall be determined by the Building Official, or as may be noted on the final plat.

3. For a double frontage lot, the lot lines separating the lot from the right-of-way or easement of the more minor street. In cases where each street has the same classification, the front lot line shall be determined by the Building Official at the time

of application for the original building permit for the lot, or as may be noted on the final plat.

- b. Rear Lot Line: The lot line which is opposite and most distant from the front line.
 - c. Side Lot Line: Any lot line that is neither a front or rear lot line. A side lot line separating a lot from a street, private way or court is a street side lot line. A side lot line separating a lot from another lot or lots is an interior side lot line.
8. Lot Width: The horizontal distance measured between the side lot lines of a lot, at right angles to its depth along a straight line parallel to the front lot line at the minimum required setback line.

216 M

1. Manufactured Home Dwelling: A factory built single-family dwelling, structure which is to be used as a place for human habitation, which is manufactured or constructed under the authority of 42 U.S. 3. Sec. 5403, Federal Manufactured Home Construction and Safety Standards promulgated by the US Department of Housing and Urban Development, and which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site; does not have permanently attached to its body or frame any wheels or axles, and which complies with the following architectural and aesthetic standards listed below. For the purpose of any of these regulations, manufactured homes shall be considered the same as a single-family detached dwelling. In common with single-family detached dwellings, a manufactured home dwelling unit shall have the following characteristics:
 - a. The home shall have at least 900 square feet of floor area;
 - b. The home shall have an exterior width of at least 18 feet;
 - c. The roof shall be pitched with a minimum vertical rise of 2.5 inches for each 12 inches of horizontal run.
 - d. The exterior material is of a color, material, and scale comparable with those existing in the residential site on which the manufactured home dwelling is being permanently installed;
 - e. The home shall have a nonreflective roof material which is or simulates asphalt or wood shingles, tile, or rock;

- f. Permanent utility connections shall be installed in accordance with local regulations;
 - g. The home shall have all wheels, axles, transporting lights, and towing apparatus removed; and
 - h. The home shall be installed upon a permanent foundation that is constructed and built in accordance with local regulations.
2. **Mixed Use Building:** A building or structure that incorporates two or more use types within a single building or structure, provided that each use type is permitted within the individual Base Zoning District in which the building or structure is to be located.
 3. **Mixed Use Development:** A single development which incorporates complementary land use types into a single development.
 4. **Mobile Homes:** A building type designed to be transportable in one or more sections, constructed on a permanent chassis or undercarriage, and designed to be used as a dwelling unit or other use with or without a permanent foundation when connected to the required utilities, but not bearing a seal attesting to the approval and issuance of the Nebraska Department of Health or conformance to the manufactured home procedural and enforcement regulations, as adopted by the US Department of Housing and Urban Development; or not otherwise satisfying the definition of Manufactured Home Dwellings.
 5. **Mobile Home Park:** A unified development under single ownership, developed, subdivided, planned, and improved for the placement of mobile home units for non-transient use. Mobile Home Parks include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purposes of display, inspection, sale, or storage.
 6. **Mobile Home Subdivision:** A development subdivided, planned, and improved for the placement of mobile home units on lots for uses by the individual owners of such lots. Mobile Home Subdivisions may include common areas and facilities for management, recreation, laundry, utility services, storage, storm shelter, and other services; but do not include mobile home sales lots on which unoccupied mobile homes are parked for the purpose of display, inspection, sale, or storage.

217 N

1. **Nonconforming Development:** A building, structure, or improvement which does not comply with the regulations for its zoning district set forth by this Zoning Ordinance but which complied with applicable regulations at the time of construction.
2. **Nonconforming Lot:** A lot which was lawful prior to the adoption, revision, or amendment of this zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance. No action can be taken which would increase the non-conforming characteristics of the lot.

3. Nonconforming Sign: A sign that was legally erected prior to the adoption, revision, or amendment of this zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance.
4. Nonconforming Structure: A structure which was lawful prior to the adoption, revision, or amendment of this zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance. No action can be taken which would increase the non-conforming characteristics of the structure.
5. Nonconforming Use: A land use which was lawful prior to the adoption, revision, or amendment of this zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning ordinance. No action can be taken which would increase the non-conforming characteristics of the land use.
6. Nuisance: An unreasonable and continuous invasion of the use and enjoyment of a property right which a reasonable person would find annoying, unpleasant, obnoxious, or offensive.

218 Q

1. Open Space: Area included on any site or lot that is open and unobstructed to the sky, except for allowed projections of cornices, overhangs, porches, balconies, or plant materials.
2. Outdoor Storage: The storage of materials, parts, or products that are related to the primary use of a site for a period exceeding three days.
3. Overlay District: A district established by this Ordinance to prescribe special regulations to be applied to a site only in combination with a base district.
4. Owner: An individual, firm, association, syndicate, partnership, or corporation having sufficient proprietary interest to seek development of land.

219 P

1. Parking Facility: An area on a lot and/or within a building, including one or more parking spaces, along with provision for access circulation, maneuvering, and landscaping, meeting the requirements of this Zoning Ordinance. Parking facilities include parking lots, private garages, and parking structures. Vehicle storage is distinct from parking, and is regulated by provisions in Sections 307b, 308, 309j, Table 4-2. Vehicle storage is also governed by provisions of Article 9: Parking Regulations.
2. Parking Spaces: An area on a lot and/or within a building, intended for the use of temporary parking of a personal vehicle. This term is used interchangeably with "parking stall". Each parking space must have a means of access to a public street. Tandem parking stalls in single-family detached, single-family attached, and townhome residential uses shall be considered to have a means of access to a public street.
3. Paved: Permanently surfaced with poured concrete, concrete pavers, or asphalt.
4. Permitted Use: A land use type allowed as a matter of right in a zoning district, subject only to special requirements of this Zoning Ordinance.

5. Planning Commission: The Planning and Zoning Commission of the City of Fremont, as authorized pursuant to Chapter 414, Code of Nebraska.
6. Planned Unit Development: A development of land which is under unified control and is planned and developed as a whole in a single development operation or programmed series of development stages. The development may include streets, circulation ways, utilities, buildings, open spaces, and other site features and improvements.
7. Porch, Unenclosed: A roofed or unroofed open structure projecting from an exterior wall of a building and having no enclosed features more than thirty inches above its floor other than wire screening and a roof with supporting structure.
8. Premises: A lot, parcel, tract or plot of land, contiguous and under common ownership or control, together with the buildings and structure thereon.
9. Principal use: The main use of land or structures as distinguished from an accessory use.
10. Private Garage: A building for the storage of motor vehicles where no repair service facilities are maintained and where no motor vehicles are kept for rental or sale.
11. Property Line: See "Lot Line."

220 Q

221 R

1. Recreational Vehicle: A vehicle towed or self propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational, or sporting purposes. Recreational vehicles include, but are not limited to, travel trailers; campers; motor coach homes; converted buses and trucks, boats, and boat trailers.
2. Regulation: A specific requirement set forth by this Zoning Ordinance which must be followed.
3. Remote Parking: A supply of off-street parking at a location not on the site of a given development.

222 S

1. Screening: The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other features as may be permitted by the landscape provisions of this ordinance.
2. Setback: The distance, as required by the minimum setback(s) which establishes the horizontal component(s) of the building envelope.
3. Sign: A symbolic, visual device fixed upon a building, vehicle, structure, or parcel of land, which is intended to convey information about a product, business, activity,

place, person, institution, candidate, or political idea.

4. Site: The parcel of land to be developed or built upon. A site may encompass a single lot; or a group of lots developed as a common development under the special and overlay districts provisions of this ordinance.
5. Site Plan: A plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposed for a specific parcel of land; and any other information that may be reasonably requested by the City in order that an informed decision can be made on the associated request.
6. Special Permit Use: A use with operating and/or physical characteristics different from those of permitted uses in a given zoning district which may, nonetheless, be compatible with those uses under special conditions and with adequate public review. Special permit uses are allowed in a zoning district only at the discretion of and with the explicit permission of the Planning Commission, as provided by Article 12 of this Ordinance.
7. State: The State of Nebraska.
8. Story: The portion of a building included between the surface of any floor and the surface of the next floor above it; if there is no floor above it, the space between such floor and the next ceiling above it. A half story is a story under a sloped roof, the wall heights of which on at least two opposite, exterior walls are less than four feet.
9. Street: A right of way, dedicated to public use, which affords a primary means of access to the abutting property. This definition is intended to be inclusive of the term as defined in Nebraska Statute.
10. Street, Arterial: Street or highways intended to provide for through traffic movement between areas of the city or across the city. Major arterials usually imply relatively high speeds and traffic volumes, and are often subject to control of access to individual properties. Minor arterials are generally intended to provide trips of moderate lengths and imply lower operating speeds and more frequent points of local access than major arterial streets.
11. Street, Collector: A street connecting neighborhoods within the same communities, designed to carry traffic from local to arterial streets.
12. Street, Intersecting and Principal: In regard to a site, the principal street shall be the street to which the majority of lots on a block face are oriented; the intersecting street shall be a street other than a principal street.
13. Street, Local: A street which is used primarily for access to the abutting properties.

14. Street, Major: A street carrying traffic between neighborhoods, connecting neighborhoods with major activity centers, or accommodating major through traffic. Major streets are designated as collectors, arterials, or expressways by the Comprehensive Development Plan and are normally included in and eligible for assistance under the TEA-21 program.
15. Structure: Any object constructed or built and attached or anchored permanently or semi-permanently to the ground in such a way as to prevent routine movement.

223 T

1. Townhouse: A dwelling unit having a common wall with or abutting one or more adjacent dwelling units in a townhouse structure, with its own front and rear access to the outside, and neither above nor below any other dwelling unit.
2. Townhouse Structure: A building formed by at least two and not more than twelve contiguous townhouses with common or abutting walls.

224 U

1. Use: The conduct of an activity, or the performance of a function or operation, on a site or in a building or facility.
2. Utilities: Installations, either above or below ground, necessary for the production, generation, transmission, delivery, collection, treatments, or storage of water, solid or fluid wastes, storm water, energy media, gas, electronic or electromagnetic signals, or other services which are precedent to development and use of land.

225 V

226 W

227 X

228 Y

1. Yard; Required: That portion of a lot which lies between a lot line and the corresponding building setback line or the required landscape area. This area shall be unoccupied and unobstructed from the ground upward except as may be specifically provided for or required by this ordinance.
 - a. Front Yard: The space extending the full width of a lot, lying between the front lot line and the front setback line. For a corner lot, the front yard shall normally be defined as that yard along a street which meets one of the following two criteria:
 - 1) The yard along the block face to which a greater number of structures are oriented; or
 - 2) The yard along a street that has the smaller horizontal dimension.

- b. Rear Yard: The space extending the full width of a lot, lying between the rear lot line and the rear setback line.
- c. Side Yard: The space extending from the front setback line to the rear setback line, lying between the side yard setback line and the interior lot line.
- d. Street Side Yard: On a corner lot, the space extending from the front yard to the rear yard, between the street side yard setback line and the street side lot line.
- e. Street Yard: The area between the horizontal face of the building parallel or generally parallel to the corridor.

229 Z

- 1. Zoning Administrator: The designee of the City Administrator responsible for the interpretation, administration, and enforcement of the Fremont Zoning Ordinance.
- 2. Zoning District: A designated specified land classification, within which all sites are subject to a unified group of use and site development regulations set forth in this Zoning Ordinance

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That the original Article Two of the Fremont Zoning Ordinance, Ordinance 3939, and any other ordinances of the City of Fremont in conflict herewith are hereby repealed.

SECTION III. PUBLICATION IN PAMPHLET FORM. This Ordinance shall be published in pamphlet form and distributed as a City Ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

PASSED AND APPROVED THIS _____ DAY OF _____

SCOTT GETZSCHMAN, MAYOR

ATTEST:

KIMBERLY VOLK, MMC
CITY CLERK

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Justin Zetterman, Interim Planning Director

DATE: October 8, 2014

SUBJECT: Requested Zoning Ordinance Text Amendment of Article 4

Recommendation: Hold second reading

Background: The staff requests an amendment to the Fremont Zoning Ordinance No. 3939 to accommodate more Home-Based Businesses and Home Occupations in residential districts throughout the City.

In general, there is a national movement towards allowing more live/work residences. The draft Uniform Development Ordinance (UDO) that the City of Fremont is in the process of completing is more open to Home-Based Businesses and Home Occupations than the current code. Thus, staff recommends updating the current code to match the proposed code within the UDO. This not only opens up more opportunities, it also helps to bring existing home-based businesses and home occupations into compliance. Article 4 is revised to permit Home Occupations in all residential zoning districts and to permit Home-Based Businesses in some districts while allowing with a conditional use permit in others:

Table 4-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	RL	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	Addl Reg
Office Uses																	606
Corporate Offices ^{1,2}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a 611b
General Office ²	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a 611b 611
Commercial Uses																	606
Home-Based Business	P	P	C	C	C	C	C										611a
Home Occupation	P	P	P	P	P	P	P	P									611b
Personal Improvement ²	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a 611b
Personal Services ^{1,2}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a 611b

P=Uses Permitted by Right C=Uses Permitted by Conditional Use Permit Blank=Use Not Permitted

Use subject to Site Plan Approval, as set forth in Section 1202

Use within a residential zoning district must also meet Permitted Uses by Zoning Districts for Home-Based Businesses and Home Occupations, see page 4-11, as well as all other applicable regulations related to Home-Based Businesses and Home Occupations.

The proposed zoning regulation text change is consistent with prudent planning practice and the policies of the Comprehensive Plan.

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, TO AMEND ARTICLE 4 PERTAINING TO ZONING DISTRICT REGULATIONS OF ZONING ORDINANCE 3939 OF THE CITY OF FREMONT, NEBRASKA, AND PROVIDE FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA;

SECTION I. REZONE. That Article 4 of Zoning Ordinance No. 3939 of the City of Fremont, Nebraska be amended to read as follows:

4

ARTICLE FOUR

ZONING DISTRICT REGULATIONS

201 Purpose

Article Four presents the Zoning District Regulations. Zoning Districts are established in the Zoning Regulations to promote compatible land use patterns and to establish site development regulations appropriate to the purposes and specific nature of each district.

202 Establishment of Districts

The following base districts and overlay districts are hereby established. Table 4-1 displays the purposes of these districts.

BASE ZONING DISTRICTS

DISTRICT NAMES

AG	Agricultural/Urban Reserve District
RR	Rural Residential District
RL	Lake and River Residential
R-1	Single-Family Residential District
R-2	Moderate-Density Residential District
R-3	Mixed-Density Residential District
R-4	High-Density Residential District
R-5	Mobile Home Residential District
UC	Mixed Use Urban Corridor District
LC	Limited Commercial/Office District
CC	Community Commercial District
DC	Downtown Commercial District
GC	General Commercial District
BP	Business Park District
LI	Limited Industrial District
GI	General Industrial District

SPECIAL AND OVERLAY DISTRICTS

MU	Mixed Use District
PD	Planned Development District
NC	Historic and Neighborhood Conservation Overlay District
SC	Special Corridor Overlay District
TND	Traditional Neighborhood Development District
FP/FW	Floodplain/Floodway Overlay District

203 Application of Districts

A base district designation shall apply to each lot or site within the city and its planning jurisdiction. A site must be in one base district.

Overlay districts may be applied to any lot or site or any portion thereof, in addition to a base district designation. The Mixed Use District may stand alone as a base district.

204 Hierarchy

References in the Zoning Ordinance to less intensive or more intensive districts shall be deemed to refer to those agricultural, residential, commercial, and industrial base zoning districts established in Section 4-2, and shall represent a progression from the AG Agricultural District as the least intensive to the GI General Industrial District as the most intensive. The Overlay Districts shall not be included in this reference.

205 Development Regulations

For each Zoning District: Purposes are set forth in Table 4-1; Uses permitted are set forth in Table 4- 2; Development Regulations are set forth in Tables 4-2 and Site Development Regulations are presented in Table 4-3.

Supplemental Regulations may affect specific land uses or development regulations in each zoning district. The applicable Supplemental Regulations are noted in Table 4-2.

206 Zoning Map

a. Adoption of Zoning Map

Boundaries of zoning districts established by this Zoning Regulations shall be shown on the Zoning Map maintained by the City Clerk. This map shall bear the signature of the Mayor attested by the City Clerk under the certification that this is the Official Zoning Map referred to by this Ordinance. This map, together with all legends, references, symbols, boundaries, and other information, shall be adopted as a part of, and concurrent with these Regulations. Said Zoning Map shall be on file with the City Clerk and shall be readily accessible to the public at Fremont City Hall.

b. Changes to the Zoning Map

The city council may from time to time adopt a new official zoning map which shall supersede the prior official zoning map, in the event that the official zoning map becomes damaged or destroyed; or for purposes of clarity due to a number of boundary changes, or to correct drafting errors or omissions; provided, however, that any such adoption shall not have the effect of amending the original zoning ordinance or any subsequent amendment thereof.

207 Interpretation of District Boundaries

The following rules shall apply in determining the boundaries of any zoning district shown on the Zoning Map.

- a. Where district boundaries are indicated as approximately following lot lines, such lot lines shall be considered the district boundaries.
- b. Where district boundaries are indicated as within street or alley, railroad, streams or creeks, or other identifiable rights-of-way, the centerline of such rights-of-way shall be deemed the district boundary.
- c. Where a district boundary divides a property, the location of the boundary shall be determined by the use of the scale appearing on the Zoning Map.
- d. Where district boundaries are indicated as approximately following corporate limits, such corporate limits shall be considered the district boundaries.
- e. Where district boundaries are indicated as approximately following section lines, quarter section lines, or quarter-quarter section lines, such lines shall be considered the district boundaries.
- f. Boundaries not capable of being determined, as set forth in 407a through 407e shall be as dimensioned on the official Zoning Map or if not dimensioned shall be determined by the scale shown on the map.

208 Vacation of Streets and Alleys

Whenever a public street or alley is vacated, the zoning district adjoining each side of such right-of-way shall be extended out to the former centerline.

209 Annexation of Territory

All unimproved or agricultural territory, which may hereafter be annexed to the City, shall be considered as lying in the AG Agricultural District until such classification shall be changed as provided by this ordinance. Any improved property that is annexed into the city shall be zoned according to the zoning district that most nearly describes either its present use or the use proposed by Fremont's Comprehensive Development Plan. This zoning shall be established by the Planning Commission and the City Council at the time of annexation.

210 Required Conformance

Except as specified in this chapter, no building or structure shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any building or land be used, which does not comply with all of the district regulations established by this title for the district in which the building or land is located.

- a. Notwithstanding any other provision of this Ordinance, the City Council may, after receiving a recommendation of the Planning Commission, approve the subdivision of lots of record or portions of lots of record, into parcels, which do not meet the minimum requirements of Table 4-3 of this Article. Such subdivision may only be approved when it can be shown that:
 1. The subdivision will not adversely alter the character of the neighborhood.
 2. In no case shall the width of a lot be less than 40 feet, depth less than 80 feet and the total area be less than 4,000 square feet.
 3. Where, by reason of exceptional narrowness, shallowness or shape of specific piece of property, the strict application of any enacted regulation under this act would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon the owner of such property.
- b. Notwithstanding any other provision of this Ordinance, the City Council may, be a 4/5 vote, after receiving a recommendation of the Planning Commission, approve the subdivision of two non-conforming lots of record as of August 1, 1985, which do not meet the requirements of Table 4-3 and Article 411a of this section, provided all the following conditions are met:
 1. Both lots exceed 4,000 square feet after the subdivision.
 2. The lot being reduced in area is not reduced over 2.5% in area.
 3. Neither lot has ever been subdivided under this provision of the Ordinance previously.
 4. Said subdivision will not be detrimental to the character of the neighborhood.
- c. The City Council may, without recommendation from the Planning Commission, by a three-fourths vote, approve a variance to the minimum lot requirements in Subsection 411a-1 above, only if it is to validate a defective subdivision where an owner, prior to December 1991, has failed to comply with the requirement to obtain City Council approval for a subdivision of property, and the City Council feels Subsections 411a-1 and 411a-3 above are complied with. In considering said variance, the City Council may place any restrictions on the granting of said variance that the City Council feels is necessary to protect the adjacent property owners and the general public.
- d. The City Council may, upon recommendation of the Planning Commission, create a lot of less than the required area and/or frontage in any zoning district where it can be shown that: (1) the lot will be occupied and used only by a public utility with a franchise to operate in the City of Fremont and, (2) the lot will be owned by the City of Fremont.

Table 4-1: Purposes of Base Zoning Districts

Symbol	Title	Purpose
AG	Agricultural/ Urban Reserve	The AG District provides for and preserves the agricultural and rural use of land, while accommodating very low-density residential development generally associated with agricultural uses. This district is designed to maintain complete agricultural uses within the Fremont extra-territorial jurisdiction. In addition, land included in the Urban Reserve in the Comprehensive Plan should be retained in the AG District to prevent premature or inappropriate development.
RL	Lake and River Residential	This district provides for the residential and recreational use of land, accommodating very low and low-density residential environments generally abutting open water. It provides for the transition of environmentally sensitive and natural landscapes to land to very low and low-density forms of residential development that are designed to combine aspects of water sports and outdoor recreation. The district's regulations assure that density is developed consistent with: land use policies of the Fremont Comprehensive Plan regarding riparian woodlands, lake environments, and open space resources; levels of infrastructure; and environmentally sensitive development practices.
RR	Rural Residential	This district provides for the rural residential use of land, accommodating very low and low-density residential environments. It provides for the transition of agricultural land to low-density forms of residential development that are designed to combine aspects of urban living with rural life. The district's regulations assure that density is developed consistent with: land use policies of the Fremont Comprehensive Plan regarding rural subdivisions; levels of infrastructure; and environmentally sensitive development practices.
R-1	Single-Family Residential	This district is intended to provide for residential development, with gross densities generally below 4 units per acre. These areas are characterized by single-family dwellings on relatively large lots with supporting community facilities and urban services. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.

Table 4-1: Purposes of Base Zoning Districts

Symbol	Title	Purpose
R-2	Moderate-Density Residential	This district is intended to provide for moderate density residential development, with gross densities generally between 4 and 8 units per acre. These developments are characterized by single-family dwellings on moderately sized lots along with low-density multi-unit residential structures such as duplexes and townhouses. It provides regulations to encourage innovative forms of housing development. It adapts to both established and developing neighborhoods, as well as transitions between single-family and multi-family areas. Its regulations are intended to minimize traffic congestion and to assure that density is consistent with the carrying capacity of infrastructure.
R-3	Mixed-Density Residential	This district is intended to provide for a mix of medium density residential environments, with gross densities ranging from 4 to 12 units per acre. It provides for a transition between lower and higher-intensity use districts, and incorporates limited office and commercial uses under certain conditions. Mixed density developments may contain single-family dwellings on moderately sized lots and low-density multi-unit residential structures such as duplexes, townhouses, and small multi-family buildings. Its regulations encourage innovative forms of housing development. It adapts to both established and developing neighborhoods, as well as transitions between single-family and multi-family areas.
R-4	Multiple-Family Residential	This district is intended to provide locations primarily for multiple-family housing, with supporting and appropriate community facilities. It also permits some non-residential uses such as offices through a special permit procedure to permit a mixing of uses that have relatively similar operating and development effects.
R-5	Mobile Home Residential	This district recognizes that mobile home development, properly planned, can provide important opportunities for affordable housing. It provides opportunities for mobile home development within planned parks or subdivisions, along with the supporting services necessary to create quality residential neighborhoods.
UC	Mixed Use Urban Corridor	This district recognizes the mixed-use character of major urban corridors, such as Military Avenue, Bell Street, Main Street, and Broad Street. These corridors sometimes accommodate a combination of residential, commercial, and office uses. Design standards maintain their character as important urban streets. The UC District may be combined with the SC Special Corridor Overlay District, to establish special performance standards for corridors in especially sensitive contexts.

Table 4-1: Purposes of Base Zoning Districts

Symbol	Title	Purpose
LC	Limited Commercial/Office	This district reserves appropriately located area for office development and a limited variety of low-impact commercial facilities which serve the needs of residents of surrounding residential communities. The commercial and office uses permitted are compatible with nearby residential areas. Development regulations are designed to ensure compatibility in size, scale, and landscaping with nearby residences.
CC	Community Commercial	This district is intended for commercial facilities, which serve the needs of markets ranging from several neighborhoods to the overall region. While allowed commercial and office uses are generally compatible with nearby residential areas, traffic and operating characteristics may have more negative effects on residential neighborhoods than those permitted in the LC District. CC Districts are appropriate at major intersections, at the junction of several neighborhoods, or at substantial commercial subcenters.
DC	Downtown Commercial	This district is intended to provide appropriate development regulations for Downtown Fremont. Mixed uses are encouraged within the DC District. The grouping of uses is designed to strengthen the town center's role as a center for trade, service, and civic life.
GC	General Commercial	This district accommodates a variety of commercial uses, some of which have significant traffic or visual effect. These districts may include commercial uses which are oriented to services, including automotive services, rather than retail activities. These uses may create land use conflicts with adjacent residential areas, requiring provision of adequate buffering. This district is most appropriately located along major arterial streets or in areas that can be adequately buffered from residential districts.
BP	Business Park	This district is designed to promote the development of planned business parks that accommodate corporate offices, research facilities, and structures, which can combine office, distribution, and limited industrial uses. These facilities serve a more regional audience, but may provide services to local residents. They are characterized by extensive landscaping, abundant parking facilities, and good visual and pedestrian relationships among buildings.

Table 4-1: Purposes of Base Zoning Districts

Symbol	Title	Purpose
LI	Limited Industrial	This district is intended to reserve sites appropriate for the location of industrial uses with relatively limited environmental effects. The district is designed to provide appropriate space and regulations to encourage good quality industrial development, while assuring that facilities are served with adequate parking and loading facilities.
GI	General Industrial	This district is intended to accommodate a wide variety of industrial uses, some of which may have significant external effects. These uses may have operating characteristics that create conflicts with lower-intensity surrounding land uses. The district provides the reservation of land for these activities and includes buffering requirements to reduce incompatibility

Table 4-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	RL	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	Addl Reg
Agricultural Uses																	
Horticulture	P	P	P	C	C	C	C	C		C	P	C	C				602a
Crop Production	P	P	P														
Animal Production	P	C	C														602b
Commercial Feedlots																	602c
Livestock Sales																	
Residential Uses																	
Single-Family Detached	P	P	P	P	P	P	P	P	P								603i,j
Single-Family Attached		C	C	C	P	P	P	P	P								603b
Duplex			C		P	P	P		P								
Townhouse ¹			C		P	P	P		P*			C					603c
Multiple-Family ¹ Less than 12 units per development						C	P		C*	C*	C	C	C				603d
Multiple-Family ¹ 12 units and over per development							P					C					605d
Downtown Residential ¹												C	C		C		603e
Group Residential ¹	C	C	C			C	P										603f
Manufactured Housing Residential	P	P	P	P	P	P	P	P	P								216
Mobile Home Park ¹								C									603g
Mobile Home Subdivision								P									603h
Retirement Residential ¹	C	C	C	C	P	P	P		P	C	C	C	C				
Residential Cluster ¹	C	C	C	C	C	C	C	C									603j

P=Uses Permitted by Right

C=Uses Permitted by Conditional Use Permit

Blank=Use Not Permitted

1. Use subject to Site Plan Approval, as set forth in Section 1202

Table 4-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	RL	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	Addl Reg
Civic Uses																	
Administration		C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	
Cemetery ¹	P	P		P	P	P	P	P									
Clubs (Recreational) ¹	C	C	C	C	C	C	P	C	P	P		C	P	C	P	P	604a
Clubs (Social) ¹	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P	P	604a
College/Univ ¹	C	C	C	C	C	C	P	C	P	P	P	P	P	P	P		
Convalescent Services ¹	C	C	C		C	C	P	C	P	P	P	C					
Cultural Services ¹	C	C	P	P	P	P	P	P	P	P	P	P	P	P	P		
Day Care (Limited)	P	P	C	P	P	P	P	P	P	P	P	P	C	C	C	C	604b
Day Care (General) ¹	C	C	C	C	C	C	P	C	P	P	P	P	P	P	C	C	604b
Detention Facilities ¹													C		C	C	
Emergency Residential	P	P	P	P	P	P	P	P	P	P	P	P					
Group Care Facility ¹			C			C	P		C	C	P	P	P				604c
Group Home	C	P	C	P	P	P	P	P	C	C	P	P	P				
Guidance Services			C				P		P	P	P	P	P	P	P	P	
Health Care ¹		C	C				P		P	P	P	P	P	P	P	P	
Hospitals ¹		C					C		C	C	C	P	P	P	C	C	
Maintenance Facility ¹	C	C							C		C		P		P	P	
Park and Recreation	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Postal Facilities ¹									C	C	P	P	P	P	P	P	
Primary Education ¹	C	P	C	P	P	P	P	P	P	P	P	P	C				
Public Assembly ¹			C						C	C	C	P	P	C			
Religious Assembly ¹	P	P	P	P	P	P	P	P	P	P	P	P	P		C		
Safety Services ¹	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Secondary Educ ¹	C	C	C	C	C	C	P	C	P	C	C	C	C				
Utilities (Major) ¹	P	C	C	C	C	C	C	C	C	C	C	C	P	C	P	P	
Office Uses																	606
Corporate Offices ^{1,2}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a,b
General Offices ²	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a,b
Financial Offices ¹									P	P	P	P	P	P	P	P	
Medical Offices ¹							C		P	P	P	P	P	P	P	C	
EC Office ¹											C	C	C	C	C	C	

P=Uses Permitted by Right C=Uses Permitted by Conditional Use Permit Blank=Use Not Permitted

1. Use subject to Site Plan Approval, as set forth in Section 1202
2. Use within a residential zoning district must also meet Permitted Uses by Zoning Districts for Home-Based Businesses and Home Occupations, see page 4-11, as well as all other applicable regulations related to Home-Based Businesses and Home Occupations.

Table 4-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	RL	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	Addl Reg 606
Commercial Uses																	
Ag Sales/Service ¹											C	C	P		P	P	
Auto Rental/Sales ¹											C	P	P	C	P	P	605c
Auto Services ¹									C	C	P	P	P		P	P	605a,b
Bed and Breakfast ¹	C	C	C	C	C	C	C		P	P	P	P	P				605d
Body Repair ¹											C	C	P		P	P	605a
Business Support Services ¹									P	P	P	P	P	P	P	P	
Business/Trade School ¹											P	P	P	P	P	P	
Campground ¹	C	C	C								C		C				605e
Cocktail Lounge ¹			C						C		P	P	P	C	P	P	605h
Commercial Rec (Indoor) ¹			C						C	C	P	P	P	P	P	P	
Commercial Rec (Outdoor) ¹			C								C		C		C	C	
Communication Service ¹									P	C	P	P	P	P	P	P	
Construction Sale/Service ¹									C		C	C	P		P	P	
Consumer Service ¹									P	P	P	P	P	P	P		
Convenience Storage ¹											C		C		P	P	605f
Equip Rental/Sales ¹												C	P		P	P	605c
Equipment Repair ¹													P		P	P	605a
Food Sales (Convenience) ¹			C						P	C	P	P	P	P	P	P	
Food Sales (Limited) ¹									P	P	P	P	P	P	P	P	
Food Sales (General) ¹									C	C	P	P	P				
Food Sales (Super markets) ¹											P	P	C				
Funeral Service ¹						C	C		P	P	P	P	P	P	P	P	
Gaming Facilities ¹											C	C	C				
Home-Based Business	P	P	C	C	C	C	C										611a
Home Occupation	P	P	P	P	P	P	P	P									611b
Kennels ¹	P	C	C										C		P	P	605g
Laundry Services ¹												C	P		P	P	

P=Uses Permitted by Right C=Uses Permitted by Conditional Use Permit Blank=Use Not Permitted
 1. Use subject to Site Plan Approval, as set forth in Section 1202

Table 4-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	RL	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	Addl Reg
Commercial Uses																	
Liquor Sales ¹			C								P	P	P		C		605h
Lodging ¹			C						P		P	P	P	P	C	C	
Personal Improvement ²	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a,b
Personal Services ^{1,2}	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	611a,b
Pet Services ¹	C								P	P	P	P	P	P	P		
Research Services ¹									P	P	P	P	P	P	P	P	
Restaurants (Drive-in) ¹									C		P	C	P		C	C	605h
Restaurants (General) ¹									P	P	P	P	P	P	C	C	605h
Restricted Business ¹													C		C	P	605i
Retail Services ¹ (Limited)									P	P	P	P	P	C			
Retail Services (Medium)									C	C	P	P	P	C			
Retail Services (Large) ¹											P	C	P				
Retail Services (Mass) ¹											C	C	P				
Stables*	C	C	C														605j
Surplus Sales ¹												C	P		P	P	
Trade Services ¹									C		C	C	P	P	P	P	
Veh. Storage (Short-term) ¹									C				P		P	P	
Veterinary Services ¹	C	C							P	C	C	C	P		P	P	
Parking Uses																	
Off-Street Parking ¹	C								C		C	P	P	C	P	P	
Parking Structure ¹											C	P	C	C	P	P	

P=Uses Permitted by Right

C=Uses Permitted by Conditional Use Permit

Blank=Use Not Permitted

1. Use subject to Site Plan Approval, as set forth in Section 1202

2. Use within a residential zoning district must also meet Permitted Uses by Zoning Districts for Home-Based Businesses and Home Occupations, see page 4-11, as well as all other applicable regulations related to Home-Based Businesses and Home Occupations.

Table 4-2 Permitted Uses by Zoning Districts

Use Types	AG	RR	RL	R-1	R-2	R-3	R-4	R-5	UC	LC	CC	DC	GC	BP	LI	GI	Addl Reg
Industrial Uses																	
Agricultural Industry ¹															C	P	608a
Construction Yards ¹															P	P	608a
Custom Manufacturing									C		C	P	P	P	P	P	608a
Light Industry ¹														C	P	P	608a
General Industry ¹															P	P	608a
Heavy Industry ¹																C	608a
Recycling Collection ¹											C	C	C		C	C	608a
Recycling Processing ¹															C	C	608a
Refuse Transfer Station ¹																P	608a
Resource Extraction ¹	C	C	C													C	607a 608a
Salvage Services ¹																C	607b, 608a
Vehicle Storage (Long-term) ¹			C										C		P	P	608a
Warehousing (Enclosed) ¹	C											C	C	P	P	P	608a
Warehousing (Open) ¹															C	P	608a
Transportation Uses																	
Aviation ¹	C														C	C	
Railroad Facilities ¹												C	C	C	P	P	
Truck Terminal ¹													C		C	P	
Transportation Terminal ¹											P	P	P		P	P	
Miscellaneous Uses																	
Alternative Energy Production Devices	C	C	C	C	C		C	C	C	C		C	C	P	P	P	
Amateur Radio Tower	P	P	C	P	P		P	P	P	P	P	P	P	P	P	P	
Communications Tower	C	C	C	C(P)	C(P)	C(P)	C(P)	C(P)	C			C	C	P	P	P	610a
Construction Batch Plant ¹	C												C		C	P	
Landfill (Non-Putrescible) ¹																C	610b
Landfill (Putrescible) ¹																	610b
WECS	C	C	C	C	C	C	C	C	C	C	C	C	C	P	P	P	610c

P=Uses Permitted by Right

C=Uses Permitted by Conditional Use Permit

Blank=Use Not Permitted

1. Use subject to Site Plan Approval, as set forth in Section 1202

C(P) = Conditional at Public Sites Only

Table 4-3: Summary of Site Development Regulations

Regulator Minimum Lot Area (sq feet)	AG 20 Acres	RR 3 Acres	RL 4,000	R-1 6,500	R-2 4,000	R-3 4,000	R-4 4,000	R-5 3.0 Acre
Single-Family Detached	2 units per each 40 acres (Note 6)	3 Acres	6,000	7,500 (Note 1)	6,000 (Note 1)	6,000	6,000	4,000
Single-Family Attached	---		4,000	6,500	4,000	4,000	4,000	
Duplex, Townhouses	---		8,000	---	8,000	8,000	7,500	
Multi-Family	---		---	---	---	10,000	7,500	
Other Permitted Uses	---		10,000	7,50	10,00	10,000	7,500	
Minimum Lot Width (feet) (Note 9)								
Single-Family	200	200	60	75	60	60	60	
Detached			50		35	35	35	
Single-Family Attached			100		70	70	70	
Duplex			40		35	25	25	
Townhouses Multi-Family	200	200	100	100		100	70	
Other Permitted Uses			100		100	100	70	150
Site Area per Housing Unit (sq feet) by type of residential								
Single-Family Detached	20 Acres (Note 6)	3 Acres	6,000	7,500	6,000	6,000	6,000	5,000 per unit
Single-Family Attached			4,000	6,500	4,000	4,000	4,000	
Two-family, duplex			4,000		4,000	4,000	3,750	
Townhouse			3,000		3,000	3,000	2,500	
					NA	2,500	1,750	
Minimum Yards (feet)								
Front Yard (Note 8)	50	30	25	25	25	25	25	50
Street Side Yard	50	18	15	15	15	15	15	50
Interior Side Yard (Note 2)								50
1 to 1.5 stories	50	10	10	7	5	5	5	
2-3 stories	50	15	15	9	7	7	9	
More than 3 stories	N	N	N	N	N	N	11	
Non-Residential Uses	A	A	A	A	A	A	20	
Rear Yard	50	20	20	20	20	20	20	50
Maximum Height (feet)	No Limit	35	35	35	35	35	45	35
Maximum Building Coverage	NA	20%	45%	35%	45%	45%	55%	40%
Maximum Impervious Coverage	NA	30%	60%	50%	60%	60%	70%	60%
Floor Area Ratio	NA	NA	NA	NA	NA	NA	NA	NA

Table 4-3: Summary of Site Development Regulations

	UC	LC*	CC*	DC	GC*
Minimum Lot Area (square feet)	4,000	None	6,000	None	6,000
Single-Family Detached	6,000	6,000			
Single-Family Attached	4,000	4,000			
Duplex, Townhouses	7,500	7,500			
Multi-Family	7,500	7,500	10,000		
Other Permitted Uses	7,500	7,500	6,000		
Minimum Lot Width (feet)				None	50
Single-Family Detached	60	60			
Single-Family Attached	40	40			
Duplex	70	70			
Townhouses Multi-Family	20	20			
Other Permitted Uses	70	70	80		
	60	60	50		
Site Area per Housing Unit (square feet) by type of residential					
Single-Family Detached	6,000	6,000			NA
Single-Family Attached	4,000	4,000			
Two-family, duplex	3,750	3,750			
Townhouse	2,500	2,500		2,000	
Multi-family	1,750	2,000	2,000	600	
Minimum Yards (feet) (Note 2)					
Front Yard	Note 4	Note 4	25	0	25
Street Side Yard (Note 6)	15	15	15	0	15
Interior Side Yard (Note 3)					
1 to 1.5 stories	5	5	0	0	0
2-3 stories	7	7	0	0	0
More than 3 stories	7	7	0	0	0
Rear Yard	20	20	25	0	25
			Note 5		Note 5
Maximum Height (feet) (Note 2)	45	45	50	50	50
Maximum Building Coverage	50%	50%	60%	100%	70%
Maximum Impervious Coverage	70%	80%	80%	100%	90%
Floor Area Ratio	1.0	0.50	1.0	No limit	1.0
	1.0				
Maximum Amount of Total Parking Located in Street Yard					
Residential	NA	NA	NA	NA	NA
Other Uses	35%	50%	No limit	35%	No limit

Table 4-3 Summary of Site Development Regulations

Regulator	BP	LI*	GI*
Minimum Lot Area (square feet)	10,000	5,000	5,000
Minimum Lot Width (feet)	80	50	50
Minimum Yards (feet)			
Front Yard	35	25	25
Street Side Yard	25	25	25
Interior Side Yard	10	0	0
Rear Yard	35	25	25
Maximum Height (feet)	40	Note 5 75	Note 5 No limit
Maximum Building Coverage	60%	70%	70%
Maximum Impervious Coverage	80%	90%	90%
Floor Area Ratio	2.0	1.0	No limit
Maximum Amount of Total Parking Located in Street Yard	50%	No limit	No limit

Notes to Preceding Pages: Table 4-3

Note 1:

For lots served by neither community water nor sewer systems, minimum lot size shall be 1 acre and minimum lot width shall be 200 feet. For lots served by community sewer systems only, minimum lot size shall be 20,000 square feet and minimum lot width shall be 100 feet. Single-family attached, duplex, two-family, or townhouse residential are permitted only on sites served by community sewer and water systems.

Note 2:

See Section 603 for supplemental regulations governing single-family attached and townhouse residential use types.

Note 3:

One foot of height may be added for each additional one foot provided in front, rear, and side yard setbacks beyond the required minimum.

Note 4:

Normal minimum setback is 25 feet. Front yard setback may be reduced to 15 feet if:

- i. No parking is placed within the street yard.
- ii. The entire street yard area is landscaped, with the exception of driveways to parking areas or pedestrian accesses to the principal building on the site.

Note 5:

Required rear yard may be reduced one foot for every one foot of front yard provided in excess of the minimum requirement. No rear yard may be less than 10 feet.

Note 6:

In AG zoning districts, the minimum lot area and site area per unit may be reduced to 10 acres, excluding road right-of-way, for current inhabitable farmstead sites existing prior to December 31, 2005, subject to approval of a conditional use permit.

Note 7:

Garage Setbacks: Any garage that fronts on a public street must be set back at least 25 feet from such street, regardless of the setback requirement within the zoning district. This shall not be interpreted to waive a larger required minimum setback required by the zoning district.

Note 8:

Residential uses in the Lake and River Residential District that abut permanent open water

(river, lake, or pond, etc.) shall consider the water frontage as the Front Lot Line.

Note 9:

Lots within the RL District for boat ramps and lake and river access may be less than the required minimum lot width.

* Uses in the **R-4, LC, CC, GC, HC, LI, and GI** Districts are subject to landscape and screening provisions contained in Article 8.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That the original Article Four of the Fremont Zoning Ordinance, Ordinance 3939, and any other ordinances of the City of Fremont in conflict herewith are hereby repealed.

SECTION III. PUBLICATION IN PAMPHLET FORM. This Ordinance shall be published in pamphlet form and distributed as a City Ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

PASSED AND APPROVED THIS _____ DAY OF _____

SCOTT GETZSCHMAN, MAYOR

ATTEST:

KIMBERLY VOLK, MMC
CITY CLERK

STAFF REPORT

TO: Honorable Mayor and City Council

FROM: Justin Zetterman, Interim Planning Director

DATE: September 25, 2014

SUBJECT: Requested Zoning Ordinance Text Amendment of Article 6

Recommendation: Hold second reading

Background: The staff requests an amendment to the Fremont Zoning Ordinance No. 3939 to accommodate more Home-Based Businesses and Home Occupations in residential districts throughout the City.

In general, there is a national movement towards allowing more live/work residences. The draft Uniform Development Ordinance (UDO) that the City of Fremont is in the process of completing is more open to Home-Based Businesses and Home Occupations than the current code. Thus, staff recommends updating the current code to match the proposed code within the UDO. This not only opens up more opportunities, it also helps to bring existing home-based businesses and home occupations into compliance. Article 6 is revised to amend existing Supplemental Use Regulations for Home-Based Businesses and Home Occupations:

611 Supplemental Use Regulations: Accessory Uses

a. Home-Based Businesses

Home-based businesses are permitted with a conditional use permit provided it is demonstrated that:

1. External Effects:

- (a) No alterations will be made to the building that changes the residential character of appearance of the dwelling to accommodate the home-based business other than signage permitted within this section.
- (b) The home-based business will not create any noise, odors, bright lights, electronic interference, storage or other external effects that constitute a public or private nuisance to neighboring properties or public right of way.
- (c) The home-based business shall be carried on entirely within the living quarters of the principal residential structure or within an accessory building in accordance with these zoning regulations. All "External Effects" criteria in items a. 1. (a), (b), (d), (e) and (f) of this subsection are applicable for the detached accessory building.
- (d) Mechanical or electrical equipment supporting the home-based business shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
- (e) There will be no outdoor display or storage of goods, materials, merchandise or equipment related to the home-based business that is visible from the exterior of the dwelling unit, other than motor vehicles used by the owner to conduct the business.
- (f) Parking or storage of heavy commercial vehicles, Class 4 and above (gross vehicle weight rating greater than 14,000 pounds) to conduct the home-based business is prohibited, unless allowed by the underlying zoning district. This excludes commercially utilized vehicles less than 14,000 pounds.
- (g) No home-based business shall discharge into any sewer, drainage way, or the ground any

material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.

(h) The home-based business will not be more dangerous to life, personal safety or property than any other activity ordinarily carried on with respect to a dwelling unit used solely for residential purposes.

2. Employees: The home-based business shall employ no more than two full time or part time employees on site other than the residents of the dwelling unit, provided that one off-street parking space is made available and used by each non-resident employee.

3. Extent of Use: The home-based business shall not occupy more than 50 percent of the dwelling's gross floor area, which shall exclude the floor area of an attached or detached garage or an accessory dwelling unit.

4. Signage: Each home-based business will be limited to a single, non-illuminated placard or nameplate with a maximum size of two square feet in area. The must be affixed securely and flat against a wall of the home.

5. Traffic Generation and Parking

(a) The home-based business will be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.

(b) The home-based business will not require the delivery of shipment of materials, merchandise, goods, or equipment by vehicles other than passenger motor vehicles, one ton step-up vans or similar-sized trucks that are less than seven tons gross vehicle weight.

(c) Parking needs generated by a home-based business shall be satisfied with off-street parking. No more than two on-street parking spaces shall be used by the home occupation at any one time.

6. Prohibited Home-Based Businesses/Home Occupations: The following activities are prohibited as home-based businesses, even if they meet the other requirements set forth in this section:

(a) Animal hospitals.

(b) General retail sales.

(c) Mortuaries.

(d) Repair shops or service establishments including major electrical appliance repair, motorized vehicle repair, and related uses.

(e) Stables or kennels.

(f) Welding, vehicle body repair, or rebuilding or dismantling of vehicles.

7. The home-based business will be operated in accordance will all applicable laws. If a state permit is required, such permit shall be obtained prior to beginning operation.

b. Home Occupations

Home occupations are permitted as an accessory use in residential units and accessory buildings provided that it is demonstrated that:

1. External Effects:

(a) No alterations will be made to the building that changes the residential character of the dwelling to accommodate the home occupation other than signage permitted within this section.

(b) The home occupation will not create any noise, odors, bright lights, electronic interference,

storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right of way.

(c) The home occupation shall be carried on entirely within the living quarters of the principal residential structure or within an accessory building in accordance with these zoning regulations. All "External Effects" criteria in items a. 1. (a), (b), (d), (e) and (f) of this subsection are applicable for the detached accessory building.

(d) Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.

(e) There will be no outdoor display or storage of goods, materials, merchandise or equipment related to the home occupation that is visible from the exterior of the dwelling unit other than motor vehicles used by the owner to conduct the occupation.

(f) Parking or storage of heavy commercial vehicles, Class 4 and above (gross vehicle weight rating greater than 14,000 pounds) to conduct the home occupation is prohibited, unless allowed by the underlying zoning district. This excludes commercially utilized vehicles less than 14,000 pounds.

(g) No home occupation shall discharge into any sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.

(h) The home occupation will not be more dangerous to life, personal safety or property than any other activity ordinarily carried on with respect to a dwelling unit used solely for residential purposes.

2. Employees:

(a) The home occupation will be managed and owned by a person residing in the dwelling unit.

(b) The home occupation shall not employ on-site any person other than residents of the dwelling unit.

3. Extent of Use: The home occupation will not exceed more than 25 percent of the dwelling's gross floor area, which shall exclude the floor area of an attached or detached garage or an accessory building.

4. Signage: Each home occupation shall be permitted to have one wall sign not to exceed two square feet in area.

5. Traffic Generation and Parking

(a) The home occupation will be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.

(b) The home occupation will not require the delivery or shipment of materials, merchandise, goods or equipment by vehicles other than passenger motor vehicles, one-ton step-up vans or similar-sized trucks that are less than seven tons gross vehicle weight.

(c) Parking needs generated by a home occupation shall be satisfied with off-street parking. No

more than one vehicle used in connection with any home occupation shall be parked on the property. No more than two on-street parking spaces shall be used by the home occupation at any time.

6. Prohibited Home Occupations: The following activities are prohibited as home occupations, even if they meet the other requirements set forth in this section:

- (a) Animal hospitals.
- (b) General retail sales.
- (c) Mortuaries.
- (d) Repair shops or service establishments including major electrical appliance repair, motorized vehicle repair, and related uses.
Stables or kennels.
- (e) Welding, vehicle body repair, or rebuilding or dismantling of vehicles.
- (f) The home-based business will be operated in accordance with all applicable laws. If a state permit is required, such permit shall be obtained prior to beginning operation.

Motion to approve by the Planning Commission on September 15th failed due to lack of second.

The proposed zoning regulation text change is consistent with prudent planning practice and the policies of the Comprehensive Plan.

AN ORDINANCE OF THE CITY OF FREMONT, NEBRASKA, TO AMEND ARTICLE 6 PERTAINING TO SUPPLEMENTAL USE REGULATIONS OF ZONING ORDINANCE 3939 OF THE CITY OF FREMONT, NEBRASKA, AND PROVIDE FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF FREMONT, NEBRASKA;

SECTION I. REZONE. That Article 6 of Zoning Ordinance No. 3939 of the City of Fremont, Nebraska be amended to read as follows:

6

ARTICLE SIX

SUPPLEMENTAL USE REGULATIONS

601 Purpose

The Supplemental Use Regulations set forth additional standards for certain uses located within the various zoning districts. These regulations recognize that certain use types have characteristics that require additional controls in order to protect public health, safety, and welfare. These regulations complement the use regulations contained in Article Four of this Ordinance. The regulations contained in this Article pertain both to uses allowed by right within various zoning districts; and to uses that require approval as Conditional Uses by the Planning Commission. Nothing contained in this section shall limit the right of the Planning Commission or City Council on appeal to impose additional conditions on developments seeking Conditional Use Permit approval.

602 Supplemental Use Regulations: Agricultural Uses

Nothing in these provisions shall relieve any property owner or user from satisfying any condition or requirement associated with a previous approval, special permit, variance, development permit, or other permit issued under any local, State, or Federal ordinance or statute.

a. Horticulture and Crop Production: Retail Sales

Retail operation of garden centers or roadside stands associated with a primary agricultural use may be permitted in the AG District outside of the city limits of Fremont, subject to the following requirements:

1. Garden Centers

- (a) A garden center is a building or premises used for the retail sale of plant materials or items useful in the growing or display of lawns, gardens, and plants. The garden center shall not be a permanent installation and shall be fully removable when not in use.

- (b) Garden centers must conform to all site development regulations for the zoning district.
- (c) Any garden center adjacent to a residential district must maintain a 20-foot landscaped bufferyard, consistent with the standards established in Section 804.

2. Roadside Stands

- (a) A roadside stand is a facility used on a temporary or seasonal basis for the retail sale of produce grown largely on adjacent or surrounding agricultural lands.
- (b) A roadside stand may be located within a required front yard but no closer than 40 feet to the edge of a traveled roadway.
- (c) A roadside stand may operate for a maximum of 180 days in any one year.

b. Animal Production

- 1. No commercial poultry or livestock operation shall be located within 1,000 feet of any residential or commercial zoning district.
- 2. Breeding and raising of small animals and fowl, such as birds, rabbits, chinchilla, and hamsters is permitted in the AG and RR Districts, provided that any building housing such animals shall be at least 300 feet from any other residential zoning district, 100 feet from any property line and 25 feet from any dwelling unit on the site. Any site accommodating these uses shall be no less than 2.5 acres. No animals with measurable odors shall be raised for commercial purposes within the city limits.
- 3. Within the AG or RR Districts, any lot of 2 acres and over may maintain one horse, llama, or other equine and/or hoofed animal and its immature offspring. Such a lot may have one additional animal for each additional two acres of lot area, up to a maximum total of three animals. No stable shall be located closer than 300 feet from any other residential zoning district, 100 feet from any property line and 50 feet from any dwelling unit on the site

c. Commercial Feedlots

Commercial Feedlots are not permitted within the jurisdiction of the City of Fremont.

603 Supplemental Use Regulations: Residential Uses

a. Zero-Lot Line Single-Family Detached Residential

Within a common development, one interior side yard may be equal to zero for single-family detached residential use, subject to the following additional regulations:

- 1. The side yard opposite to the zero yard must equal at least twice the normal required minimum side yard and must taken by itself comply with all side yard requirements for the

zoning district.

2. The normal side yard setback requirement must be maintained adjacent to any lot with an existing structure not within the common development; or not otherwise designated for zero lot line use.
3. An easement for maintenance of the zero lot line facade is filed with the Dodge County Register of Deeds and the City Clerk at the time of application for a building permit.

b. Single-Family Attached

1. When permitted with requirement for conditional use approval, the minimum side yard opposite the common wall shall be equal to at least twice the normal required side yard. A reduced setback may be permitted as part of a Planned Development District approved by the Planning Commission and City Council.

c. Townhouse Residential

Where permitted, townhouse residential is subject to the following regulations:

1. The minimum width for any townhouse lot sold individually shall be 25 feet, except within an approved creative subdivision.
2. Coverage percentages are computed for the site of the entire townhouse common development.

d. Multi-Family Development

1. No more than 12 units are permitted at any one development within an R-3 District.
2. A multi-family development within an R-3 District may be no closer than 300 feet to any other pre-existing multi-family development, as measured from the property lines nearest each other.
3. Car wash facilities for use by tenants only may be considered as an accessory use in R4 - Multi-Family Developments with more than 12 units on a conditional use basis or as part of a Planned Unit Development.

e. Downtown Residential Use in the DC, GC and LI Districts

Downtown Residential use when permitted in the DC, GC and LI Districts are subject to the following conditions:

1. Locations shall be limited to the Main Street Fremont Plan Area as set forth in the City's 1999 Comprehensive Development Plan and shall be approved by the Planning Commission and City Council.

2. Downtown Residential uses are allowed in the DC, GC and LI Districts only on levels above street level except that a unit specifically designed for occupancy by disabled residents or a unit not fronting a street and not exceeding 50% of the street level floor area and not being the primary use of the street level floor area, may be developed at street level, subject to approval by the Planning Commission and City Council.
3. Residents of units must be informed by the owner of the building that lawful commercial uses have priority over residential uses.
4. All upper level apartments must have two separate means of egress.

f. Group Residential

Where permitted, Group Residential use must comply with the following requirements:

1. Within the AG and RR districts, no more than six persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than five persons shall be permitted to reside in a non owner-occupied dwelling unit.
2. Within the R-3 and R-4 districts, no more than ten persons in addition to the family of the owner shall be permitted to reside in an owner-occupied dwelling unit. No more than seven persons shall be permitted to reside in a non owner-occupied dwelling unit.
3. A minimum of 250 square feet must be provided in the dwelling unit for each resident.

g. Mobile Home Parks

In the R-5 Mobile Home Residential District, which permits mobile home residential use, such use may be configured in a Mobile Home Park or Mobile Home Subdivision. Following the effective date of this Ordinance, no mobile home shall be located outside of a Mobile Home Park or Mobile Home Subdivision. A Mobile Home Park is subject to approval as a Conditional Use by the Planning Commission and compliance with the following regulations:

1. Certification

A certification of compliance with all ordinances and regulations regarding mobile home licensing, zoning, health, plumbing, electrical, building, fire protection and any other applicable requirements shall be issued by the Zoning Administrator prior to the occupancy of any new Mobile Home Park or any expansion of an existing Mobile Home Park.

2. Minimum and Maximum Area

A Mobile Home Park shall be considered to be one zoned lot. The contiguous area of a Mobile Home Park shall have a minimum of 3.0 acres and a maximum of 15 acres.

3. Density Requirements

- (a) The minimum gross site area per dwelling unit shall be 5,000 square feet.
- (b) The minimum size of an individual mobile home space shall be 4,000 square feet for single-wide mobile home units and 6,000 square feet for double-wide mobile home units.
- (c) Each mobile home space shall have a width of at least 50 feet wide and a length of at least 80 feet.

4. Site Development Standards

- (a) Setbacks: Each Mobile Home Park shall have a minimum perimeter setback of 30 feet from adjacent non-residential uses and 50 feet from adjacent residential uses. No space for a dwelling unit or any other structure shall be permitted in the required setback.
- (b) Setback landscaping: All area contained within the required setbacks except sidewalks and private drives shall be landscaped and screened in conformance with Section 8 of this Ordinance. Screening shall be provided in conformance with Article 8 for any common property line with another non-residential use.
- (c) Impervious Coverage: Impervious coverage for a Mobile Home Park shall not exceed 50 percent of the total site area.
- (d) Open Space: Each Mobile Home Park shall provide a minimum of 400 square feet of open recreational space per unit. Such space shall be provided at a central location accessible from all parts of the park by pedestrians. Required perimeter setbacks or buffers shall not be credited toward the fulfillment of this requirement.
- (e) Separation Between Mobile Home Units: The minimum separation between a mobile home unit and attached accessory structure and any other mobile home units and/or accessory structure shall be 15 feet.
- (f) Separation and Setbacks for Accessory Buildings: An accessory building on a mobile home space maintains a minimum rear and side yard setback of five feet. A minimum distance of ten feet shall be provided between any mobile home and an unattached accessory building.

5. Street Access and Circulation Requirements

- (a) Access to Public Street: Each Mobile Home Park must abut and have access to a dedicated public street with a right-of-way of at least 60 feet. Direct access to a mobile home space from a public street is prohibited.

- (b) Vehicular Circulation: The Mobile Home Park must provide interior vehicular circulation on a private internal street system. Minimum interior street width shall be 27 feet. The street system shall be continuous and connected with other internal and public streets; or shall have a cul-de-sac with a minimum diameter of 90 feet. No such cul-de-sacs may exceed 300 feet in length.
 - (c) Separation between Units and Circulation Areas: The minimum distance between a mobile home unit and any attached accessory structure and the pavement of an internal street or parking area shall be ten feet.
 - (d) Sidewalks: Each Mobile Home Park shall provide a sidewalk system to connect each mobile home space to common buildings or community facilities constructed for the use of its residents; and to the fronting public right of way. Sidewalk width shall be at least four feet.
 - (e) Street and Sidewalk Standards: All internal streets and sidewalks shall be hard-surfaced. Electric street lighting is required along all internal streets.
 - (f) Parking Requirements: Each Mobile Home Park must provide at least two off-street parking stalls for each mobile home space.
6. Tornado Shelters: Tornado shelters shall be provided in the Mobile Home Park. Such shelter or shelters shall be built according to the recommendations of the Civil Defense authority and be large enough to meet the specific needs of the park and its residents.
7. Utilities
- (a) All Mobile Home Parks shall provide individual units and common facilities with an adequate, piped supply of water for both drinking and domestic purposes; and standard electrical service, providing at least one 120-volt and one 240-volt electrical service outlet to each mobile home space.
 - (b) Complete sanitary and sewer service shall be provided within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Ordinance.
 - (c) Properly spaced and operating fire hydrants shall be provided for proper fire protection within each Mobile Home Park in accordance with the Subdivision Chapter of the Land Development Ordinance and other applicable city codes and public improvement design standards.
 - (d) All electric, telephone, gas, and other utility lines shall be installed underground.
8. Financial Responsibility: Each application for a Mobile Home Park shall include a demonstration by the developer of financial capability to complete the project; and a construction schedule.

9. Completion Schedule: Construction must begin on any approved Mobile Home Park within one year of the date of approval by the Planning Commission. Such construction shall be completed within two years of approval, unless otherwise extended by the Commission.
10. All other uses and provisions of the Fremont Mobile Home Park regulations are incorporated herein by reference. These provisions include tie-down and other structural requirements included in the Fremont Municipal Codes.

h. Mobile Home Subdivisions

1. Mobile Home Subdivisions shall be developed in accordance with all standards and requirements set forth in the Subdivision Ordinance of Fremont. Site development regulations shall be the same as those required in the R-2 Zoning District. Each mobile home shall be considered a single-family detached residential unit for the purpose of determining applicable development regulations.
2. Mobile home units within Mobile Home Subdivisions shall be built in accordance with the minimum design standards of the US Department of Housing and Urban Development and display a certification of such compliance.
3. Mobile Home Subdivisions shall provide tornado shelter facilities as required by Section 603 f (5).
4. The minimum size of a mobile home subdivision shall be ten (10) acres.

i. Earth-Sheltered Residences

No subterranean or basement structure shall be occupied for residential purposes, except for those that meet the following requirements as earth-sheltered residences:

1. The living area shall be provided with exterior windows and/or skylights with a total glassed area of at least 10% of the gross floor area of the residence. Such windows or skylights shall give direct access to natural light and open space.
2. All earth sheltered residences shall conform to the development regulations for their respective zoning districts.
3. An outdoor space shall be provided immediately outside one wall of the residence that has:
 - (a) A minimum size of 500 square feet.
 - (b) A minimum width of 20 feet.
 - (c) An average grade elevation no more than 2 feet above or below the finished floor elevation of the residence.

4. All earth-sheltered residences shall have structural systems designed by a professional structural engineer and shall have plans signed and approved by such engineer.

j. Residential Cluster

1. A complete layout of a residential cluster project showing the entire tract, location all easements, structures, easements and other provisions for permanent access to all units shall be submitted with the application.
2. The layout for a Residential Cluster project shall be prepared or certified by a Registered Land Surveyor and shall be submitted to a scale of at least 1 inch equals 100 feet.

604 Supplemental Use Regulations: Civic Uses

a. Community Centers and Clubs

Clubs located adjacent to residential uses shall maintain a buffer yard of not less than 40 feet along the common boundary with such residential use.

b. Day Care

1. Limited Day Care uses are permitted on residential lots and may be operated by the occupant of a dwelling unit on the site.
2. Day care facilities are permitted by Conditional Use Permit in the GI General Industrial Zoning District only if incidental to a permitted primary use.
3. Day care centers accommodating more than four children or adults shall:
 - (a) Not be located along a major arterial street as designated in the city's Comprehensive Development Plan.
 - (b) Provide at least 100 square feet of open space per child, entirely enclosed by a building, fence, or wall with a height of at least six feet.
 - (c) Conform to all requirements and licensures of the State of Nebraska.

c. Group Care Facilities and Group Homes

1. Each group care facility or group home must be validly licensed by either the State of Nebraska or the appropriate governmental subdivision.
2. Group homes are permitted in the DC District only on levels above street level except that a facility specifically designed for occupancy by disabled residents may be developed at street

level, subject to approval of a special permit by the City Council with the recommendation of the Planning Commission.

d. Primary Educational Facilities

1. A use established as a Primary Educational Facility on the effective date of this Ordinance shall continue to be classified in this use even if it subsequently offers a curriculum or accommodates students at the junior high or high school level. In the event of such reuse, the Primary Educational Facility shall meet the parking requirements for Secondary Educational Facilities set forth in Table 9-1.

605 Supplemental Use Regulations: Commercial Uses

201 Auto Repair, Equipment Repair, and Body Repair

- a. Where permitted in commercial districts, all repair activities must take place within a completely enclosed building. Outdoor storage is permitted only where incidental to Auto Repair and Body Repair, provided that such storage is completely screened so as not to be visible from residential areas or public rights-of-ways. Screening is subject to provisions of Article 8 of this ordinance.
- b. Any spray painting must take place within structures designed for that purpose and approved by the Building Official.

202 Auto Washing Facilities

- a. Each conveyor operated auto washing facility shall provide 100 feet of stacking capacity per washing lane on the approach side of the washing structure and stacking space for two vehicles on the exit side.
- b. Each self-service auto washing facility shall provide stacking space for three automobiles per bay on the approach side and one space per bay on the exit side of the building.

203 Automobile and Equipment Rental and Sales

- a. All outdoor display areas for rental and sales facilities shall be hard-surfaced.
- b. Body repair services are permitted as an accessory use to automobile rental and sales facilities, provided that such repair services shall not exceed 25% of the gross floor area of the building.

204 Bed and Breakfasts

Bed and Breakfasts permitted in the DC District and established in buildings not used or designed principally as residential structures must provide any sleeping facility only on levels above street level except that units specifically designed and reserved for occupancy by handicapped people may be located on the street level.

205 Campgrounds

- a. Minimum Size: Each campground established after the effective date of this Ordinance shall have a minimum size of one acre.
- b. Setbacks: All campgrounds shall maintain a 50-foot front yard setback and a 25-foot bufferyard from all other property lines.
- c. Each campground must maintain water supply, sewage disposal, and water and toilet facilities in compliance with all City ordinances; or, alternately, be limited to use by self-contained campers, providing their own on-board water and disposal systems.

206 Convenience Storage

When permitted in the AG, CC, GC, and LI Districts, convenience storage facilities shall be subject to the following additional requirements:

- a. The minimum size of a convenience storage facility shall be one acre.
- b. Activities within the facility shall be limited to the rental of storage cubicles and the administration and maintenance of the facility.
- c. All storage must be within enclosed buildings and shall not include the storage of hazardous materials.
- d. No storage buildings may open into required front yards.
- e. All driveways within the facility shall provide a paved surface with a minimum width of 25 feet.
- f. Facilities must maintain landscaped bufferyards of 35 feet adjacent to any public right-of-way and 20 feet adjacent to other property lines, unless greater setbacks are required by Article Eight.

207 Kennels

- a. The minimum lot size shall be two acres.
- b. No building or dog runs shall be located nearer than 100 feet from any property line and 300 feet to the property line of any residential use or district.
- c. All kennel facilities shall be screened around such facilities or at property lines to prevent distracting or exciting animals. Screening shall be of a type provided by Article 8, establishing landscape and screening standards.

208 Liquor Consumption

- a. Any business located on a parcel within 300 feet of an Agricultural or Residential zoning district which has a State of Nebraska license permitting the on-premise consumption of alcoholic beverages shall obtain a Special Permit from the City Council prior to being able to sell such alcoholic beverages. This Permit shall be renewed annually by resolution of the City Council. The City Council may require the business to submit to a formal public hearing before the Council to consider renewal or denial of the Special Permit.
- b. The Special Permit may be suspended or revoked by the City Council at any time for cause, following a public hearing. Written and/or verbal complaints at such public hearing shall be accepted from property owners with properties located within 300 feet of the property accommodating the Special Permit. Existing businesses within 300 feet of an Agricultural or Residential zoning district and having a State of Nebraska license permitting the on-premise consumption of alcoholic beverages shall be deemed to have a valid Special permit until the time of their next scheduled renewal by the City Council.

209 Restricted Businesses

Adult entertainment businesses shall be subject to the following restrictions, and no person shall cause or permit the establishment of any adult entertainment business contrary to said restrictions:

- a. No adult entertainment business shall be open for business between the hours of one a.m. and six a.m.
- b. A new adult entertainment business shall not be allowed within 1,000 feet of another existing adult entertainment business.
- c. A new adult entertainment business shall not be located within 1,000 feet of any residentially zoned district or a preexisting school, public park, or place of worship.
- d. The provisions of this chapter, excepting the distance requirements set forth in Section 605i2 and 605i3 above, shall apply to any adult entertainment businesses in existence at the time the ordinance codified in this chapter takes effect. All nonconformances shall come into compliance on or before January 1, 2005, and no such nonconforming use shall be permitted to expand in size or scope and the rights granted in this chapter shall terminate upon cessation of business, sale or transfer of ownership of the adult entertainment business.
- e. Measurement of distances. For the purpose of this chapter, measurements shall be made in a straight line, without regard to intervening structures or objects, from the main entrance of such adult entertainment business to the point on the property line of such other business, school, church, public park or areas zoned for residential use which is closest to the said main entrance of such adult entertainment business.
- f. No adult entertainment business shall employ any person under 21 years of age.
- g. No adult entertainment business shall furnish any merchandise or services to any person

who is under eighteen years of age.

- h. No adult entertainment business shall be conducted in any manner that permits the observation of models or any material depicting, describing or relating to specified sexual activities or specified anatomical areas by display, decoration, sign, show window or other opening from any public way or from any property not licensed as an adult use. No operator of an adult entertainment business or any officer, associate, member, representative, agent, owner, or employee of such business shall engage in any activity or conduct or permit any other person to engage in any activity or conduct in or about the premises which is prohibited by this code or any laws of the state or the United States.
- i. No part of the interior of the adult entertainment business shall be visible from any pedestrian sidewalk, walkway, street, or other public or semipublic area.
- j. An adult entertainment business shall post a sign at the entrance of the premises which shall state the nature of the business and shall state that no one under the age of eighteen years is allowed on the premises. The sign shall comply with the city's sign regulations. This section shall not be construed to prohibit the owner from establishing an older age limitation for coming on the premises.
- k. Nuisance Operation: Any adult entertainment business operated, conducted or maintained contrary to the provisions of this chapter shall be and the same is declared to be unlawful and a public nuisance, and the city attorney may, in addition to or in lieu of prosecuting a criminal action under this chapter, commence an action or actions, proceeding or proceedings, for the abatement, removal or enjoinder thereof, in the manner prescribed by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate or remove such establishment and restrain and enjoin any person from operating, conducting or maintaining an adult entertainment business contrary to the provisions of this chapter.

210 Stables

- a. Stables, riding academies, and similar facilities shall have a minimum site area of 2.5 acres.
- b. Any stables or other buildings in which animals are kept shall be at least 100 feet from any property line and 300 feet from any residential district.

606 Supplemental Design Standards for Office and Commercial Uses in the LC Districts

a. Design Standards for the LC Limited Commercial District

The following design standards shall apply to any office or commercial use developed within the LC District:

- 4. No single buildings have a building coverage area that exceeds 10,000 square feet.
- 5. No street-facing facade may have a continuous length of 50 feet or over without an offset in

the building elevation equal to a dimension of at least five feet.

6. Window area on each facade shall be equal to at least 20% of the area of that facade.
7. Exterior materials shall be brick, stone, wood clapboard, or other exterior materials typical of exterior building materials in common use in Fremont's residential districts or town center business district.
8. The dominant roof form shall be a pitched or gabled roof with a minimum roof slope equal to one foot of vertical height to every three feet of horizontal distance. Permitted roof materials may include asphalt shingles, slate or simulated slate shingles, standing seam metal, or other similar roof materials.
9. Surface parking may be adjacent to no more than 50% of the property line of the site's principal street frontage.
10. Each site design shall provide a clear and safe method of pedestrian circulation along the street right-of-way and between the street right-of-way and a principal customer entrance of the business.

607 Supplemental Use Regulations: Industrial Uses

a. Resource Extraction

Resource extraction, where permitted, is subject to the following additional requirements:

1. Erosion Control: A resource extraction use may not increase the amount of storm run-off onto adjacent properties. Erosion control facilities, including retention and sediment basins, are required of each facility, if necessary, to meet this standard.
2. Surface Drainage: The surface of the use may not result in the collection or ponding of water, unless specifically permitted by the City Council.
3. Storage of Topsoil: Topsoil shall be collected and stored for redistribution following the end of the operation.
4. Elimination of Hazards: Excavation shall not result in a hazard to any person or property. The following measures are required:
 - (a) Restoration of slopes to a gradient not exceeding 33% as soon as possible.
 - (b) Installation of perimeter safety screening.
 - (c) Installation of visual screening adjacent to any property within a residential or public use district.

5. Restoration of Landscape: The topography and soil of the resource extraction site shall be restored and stabilized within nine months of completion of the operation. The site shall be seeded, planted, and contoured in a way that prevents erosion. Alternately, the site may be used as a lake or body of water, subject to approval by the City Council with the recommendation of the Planning Commission and the Lower Platte North Natural Resources District.
- b. Salvage Services
 1. Screening:
 - (a) The perimeter of each new facility shall be fully enclosed by opaque, freestanding fencing or screen walls. Minimum height of this enclosure shall be eight feet. Any such enclosure shall be constructed behind required landscaped bufferyards.
 - (b) All enclosures shall be of uniform height, texture, and color, and shall be maintained by the proprietor to ensure maximum public safety and to completely obscure the public view of materials stored in the facility.
 2. Storage of materials within any salvage services facility may not be higher than the height of the surrounding screen fence or wall.
 3. No loading, unloading, or any other operational activity involving salvage materials may take place outside the boundaries of the enclosure. Burning of any materials shall be prohibited.
 4. No Salvage Services use may be established within 1,000 feet of the nearest property line of a residential zoning district or any civic use.

608 Performance Standards for Industrial Uses

a. Industrial Uses in the LI District: Performance Standards

The following performance standards apply to all industrial uses permitted within an LI Limited Industrial zoning district:

1. Physical Appearance: All operations shall be carried on within an enclosed building except that new materials or equipment in operable condition may be stored outside. Normal daily inorganic wastes may be stored outside in containers, provided that such containers are not visible from the street.

2. Fire Hazard: No operation shall involve the use of highly flammable gases, acid, liquids, or other inherent fire hazards. This prohibition shall not apply to the normal use of heating or motor fuels and welding gases when handled in accordance with the regulations of Dodge County and the City of Fremont.
3. Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts: No operation in the LI district shall generate sound levels in excess of those specified in Table 6-1 at the boundary of a residential district. All noises shall be muffled so as not to be objectionable because of intermittence, beat frequency, or shrillness.
4. Sewage and Wastes: No operation shall discharge into a sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
5. Air Contaminants: No material may be discharged into the air from any source in such quantity as to cause injury, detriment, nuisance, or annoyance to any considerable number of people or to the public in general; or to endanger the health, comfort, or safety of any considerable number of people or to the public in general; or to damage other businesses, vegetation, or property.
6. Odor: The emission of odors determined by the Planning Commission to be obnoxious to most people shall be prohibited. Such odors shall be measured at the property line of the operation.
7. Gases: No release of noxious or poisonous gases shall be permitted except as provided in this section. Measurements of sulfur dioxide, hydrogen sulfide, or carbon monoxide shall not exceed 5 parts per million taken at the property line of the operation.
8. Vibration: All machines shall be mounted to minimize vibration. No measurable vibration shall occur at the property line of the operation which exceeds a displacement of 0.003 inch.
9. Glare and Heat: All glare generated by a use shall be shielded or directed so as not to be visible at the property line of the operation. No heat may be generated from an operation that raises the air temperature at the property line of the operation by more than five degrees Fahrenheit above the ambient air temperature.
10. Storage of Chemical Products: If allowed by Conditional Use Permit, any above or below ground storage of liquid petroleum products or chemicals of a flammable or noxious nature shall not exceed 150,000 gallons when stored on one lot less than one acre. Such storage shall not exceed 25,000 gallons in any one tank. Storage of liquid petroleum products or chemicals of a flammable or noxious nature in excess of 25,000 gallons shall be located at least 50 feet from any structure intended for human habitation and at least 200 feet from any Residential, Office, or Commercial zoning district.

608b Accessory Commercial Uses (Warehousing (Enclosed) and Off-Street Parking)

If allowed by Conditional Use Permit in an Agriculture/Urban Reserve District, enclosed

warehousing or off-street parking must be an accessory use to and abutting a principal General Commercial use in a General Commercial zone district. The Site Development Regulations according to Table 4-3 for General Commercial properties shall apply to the accessory commercial use. No direct on-premise retail sale to the general public is allowed.

609 Maximum Permitted Sound Levels Adjacent to Residential Zoning Districts

Table 6-1 displays the maximum permitted sound levels that may be generated by uses in the CC, GC, BP, or LI zoning districts where adjacent to residential zoning districts. All measurements shall be taken at or within the boundary between the originating district and the adjacent residential zoning district with a sound level meter meeting ANSI specifications for a Type II or better general purpose sound level meter. The A-weighted response shall be used.

Table 6-1: Maximum Permitted Sound Levels at Residential Boundaries

<u>Originating Zoning District</u>	<u>Time</u>	<u>Maximum One Hour Leq*</u> <u>(dba)</u>
CC, GC, LI	7:00 a.m. - 10:00 p.m.	60
	10:00 p.m. - 7:00 a.m.	55
GI	7:00 a.m. - 10:00 p.m.	65
	10:00 p.m. - 7:00 a.m.	55

* Leq is the constant sound level that, in a given situation and time period, conveys the same sound energy as the actual time-varying A-weighted sound. It is the average sound level and accurately portrays the sound the human ear actually hears.

610 Supplemental Use Regulations: Miscellaneous Uses

a. Communications Towers

- Communications towers, where permitted, are subject to the following additional requirements:
3. Co-Location: It is the policy of the City of Fremont to encourage the co-location of new communications towers with existing towers or as part of suitable existing structures. All applications for approval of a communications tower location shall include evidence that all potential alternatives for location on existing towers or suitable buildings has been explored and exhausted. Applicants may not be denied space on an existing tower within the City of Fremont unless mechanical, structural, or regulatory factors prevent co-location.

The City encourages co-location of wireless telecommunication facilities to minimize the number of telecommunication sites.

- No wireless telecommunication facility owner or operator shall unfairly exclude a telecommunication competitor from using the same facility or location. Upon request by the City, the owner or operator shall provide evidence why co-location is not possible.
- If a telecommunication competitor attempts to co-locate a facility on an existing or

approved telecommunication facility or location, and the parties cannot reach agreement, the City may require a third party technical study at the expense of either or both parties to determine the feasibility of co-location.

All applications for a tower shall include a statement to demonstrate the need for the new tower and provide supporting documentation as to why co-location is not possible on an existing structure in the area and a letter of intent to allow co-location on the proposed antenna support structure.

4. All applications for approval of a CMRS (Commercial Mobile Radio Service) facility, meaning any use of property for towers, antennas, equipment and equipment shelter(s) or cabinets employed in reception, switching and/or transmission of wireless telecommunications services, including but not limited to, paging, enhanced specialized mobile radio, personal communications services, microwave link antenna, cellular telephone and other related technologies by a public or private company providing any type of CMRS wireless service under an FCC license shall include the following:

208 A site plan showing the location and legal description of the site; on-site land uses and zoning; adjacent roadways; parking and access; areas of vegetation and landscaping to be added; setbacks from property lines; and, the location of the facility, including all related improvements and equipment.

209 A vicinity map showing adjacent properties, land uses, zoning and roadways within one mile of a proposed CMRS site.

210 Elevation drawings of the proposed facility showing all antennas, towers, tower heights, structures, existing buildings, walls and/or roofs on which antennas are mounted, equipment buildings/cabinets, fencing, screening, lighting and other improvements related to the facility showing specific materials, placement and colors.

211 A narrative report describing the facility and the technical, economic and other reasons for its design and location, the need for the facility and its role in the network, and describing the capacity of the structure, including the number and type of antennas it can accommodate.

212 A coverage map and a survey of existing towers including type and location and a statement to demonstrate the need for the new tower and provide supporting documentation as to why co-location is not possible on an existing tower in the area.

213 A letter of intent to allow co-location on the antenna support structure. Facility owners shall not unreasonably exclude competitors from using the same facility or location.

214 A letter of intent to remove the facility at the expense of the facility and/or property owner if it is abandoned.

5. Towers shall be located at the following setbacks:

1. All towers up to fifty (50) feet in height shall be set back on the sides a distance equal to the underlying setback requirements in the applicable zoning district. Towers in excess of fifty (50) feet in height shall be set back a distance equal to the manufacturers designed fall distance rate. The height of the tower shall be measured from the floor of the base pad to the top of the tower. Setback requirements shall be measured from the base of the tower to the nearest boundary line of the tract of land on which it is located.

2. Towers of one hundred fifty (150) feet or less in height located in or adjacent to any residential district or LC, CC, DC or GC commercial district shall be separated from any residential structure, school, church and/or occupied structures other than those utilized by

the tower owner, by a minimum of one hundred percent (100%) of the height of the tower.

3. Towers exceeding one hundred fifty (150) feet in height may not be located in any R1 through R5 residential district or LC, CC, DC or GC commercial district, and must be separated from said district by a minimum of the height of the proposed tower. Towers with heights greater than one hundred fifty (150) feet shall only be located in an industrial or agriculturally zoned district.
6. Towers must meet the following minimum separation requirements from other towers:
 1. Monopole tower structures shall be separated from all other towers whether monopole, self-supporting lattice or guyed towers by a minimum of seven hundred fifty (750) feet.
 2. Self-supporting lattice or guyed towers shall be separated from all other self-supporting lattice or guyed towers by a minimum of one thousand five hundred (1,500) feet.
7. The tower facility shall be designed to be aesthetically and architecturally compatible with the built environment of the City of Fremont. Associated support buildings shall be designed with materials that are consistent with those in the surrounding neighborhood. Metal exteriors shall not be permitted for support accessory buildings.
8. All tower facilities shall provide landscaped peripheral yards with a minimum depth of 35 feet. One tree consistent with the provisions of Article 8 shall be planted for every 500 square feet of required peripheral yard area.
9. Abandonment: All applications shall include a letter of intent to remove the facility at the expense of the facility or property owner if it is abandoned. Communication towers and facilities will be considered abandoned if they are unused by all providers at the facility for a period of 12 months. Determination of abandonment shall be made by the Zoning Administrator and/or his/her designees, who shall have the right to request documentation from the facility owner and/or communication provider regarding tower or antenna usage. Upon abandonment, the facility owner or property owner shall have 120 days to:
 1. Reuse the facility or transfer it to another communication provider who will reuse it; or, dismantle the facility. If the facility is not removed within 120 days of abandonment, the City may remove the facility at the facility's and/or the property owner's expense. If the facility is removed, City approval of the facility will expire. If the City cannot recover expenses directly from the facility and/or the property owner, the City will file a lien against the property to recover the removal expenses.
 2. One extension, at no charge, of no more than six months in duration of the abandonment grace period may be granted upon written request of the communication provider. Such requests must be received one month in advance of expiration of the abandonment grace period.
10. The following are exempt from the preceding Section 610-a requirements:

1. Existing towers and antennas and any repair or maintenance of the same.
 2. Ham radio towers, citizen band transmitters and antennas.
 3. Microwave dishes for home or business use of less than one meter in diameter.
 4. Towers for public safety and emergency communications.
11. By adopting Section 610-a “Communication Towers” the City is not attempting to regulate radio frequency power densities or electromagnetic fields, which regulation is controlled by the FCC.

b. Landfills

1. Compliance with Codes: Each landfill must comply with all relevant city, county, State, or Federal codes and statutes.
2. Prevention of Hazards: No facility shall present a hazard to surrounding residents or properties.
3. Drainage and Water Supply: No landfill may modify or prevent the flow of major natural drainage ways within the jurisdiction of the City of Fremont. Landfills shall not produce a measurable increase in pollution in any public water-based recreational facility or in any waterway or well that is a part of a public or private water supply.
4. Minimum Separation from Residential Uses: No non-putrescible landfill may be established within 300 feet of a developed residential or public use. No landfill involving the disposal of putrescible or septic wastes shall be established within one-fourth mile of any residential, public, or commercial zoning district; or any State or Federal Highway.
5. Restoration of Site: The site of any landfill must be restored, stabilized, planted, and seeded within six months after the end of the operation. Dissipation of waste products must be accomplished in a manner approved by the State of Nebraska’s Department of Environmental Quality.
6. Toxic Waste: The disposal of hazardous, toxic, or radioactive wastes as defined by the Federal Environmental Protection Agency shall be prohibited within the City of Fremont and its extra-territorial jurisdiction.

c. Wind Energy Conservation Systems (WECS)

1. The distance from all lot lines or any building or power line to any tower support base of a WECS shall be equal to the sum of the tower height and the diameter of the rotor. A reduction of this requirement may be granted as part of a Conditional Use Permit approval if the Planning Commission finds that the reduction is consistent with public health, safety, and welfare.
2. The distance between the tower support bases of any two WECS shall be the minimum of five rotor lengths, determined by the size of the largest rotor. A reduction of this requirement may be granted as part of a Conditional Use Permit approval if the Planning Commission finds that the reduction does not impede the operation of either WECS.

3. The WECS operation shall not interfere with radio, television, computer, or other electronic operations on adjacent properties.
4. A fence six feet high with a locking gate shall be placed around any WECS tower base; or the tower climbing apparatus shall begin no lower than twelve feet above ground.
5. The WECS is exempt from the height restrictions of the base district.

611 Supplemental Use Regulations: Accessory Uses

a. Home-Based Businesses

Home-based businesses are permitted with a conditional use permit provided it is demonstrated that:

1. External Effects:

- No alterations will be made to the building that changes the residential character of appearance of the dwelling to accommodate the home-based business other than signage permitted within this section.
- The home-based business will not create any noise, odors, bright lights, electronic interference, storage or other external effects that constitute a public or private nuisance to neighboring properties or public right of way.
- The home-based business shall be carried on entirely within the living quarters of the principal residential structure or within an accessory building in accordance with these zoning regulations. All "External Effects" criteria in items a. 1. (a), (b), (d), (e), (f), (g) and (h) of this subsection are applicable for the detached accessory building.
- Mechanical or electrical equipment supporting the home-based business shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
- There will be no outdoor display or storage of goods, materials, merchandise or equipment related to the home-based business that is visible from the exterior of the dwelling unit, other than motor vehicles used by the owner to conduct the business.
- Parking or storage of heavy commercial vehicles, Class 4 and above (gross vehicle weight rating greater than 14,000 pounds) to conduct the home-based business is prohibited, unless allowed by the underlying zoning district. This excludes commercially utilized vehicles less than 14,000 pounds.
- No home-based business shall discharge into any sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.

- The home-based business will not be more dangerous to life, personal safety or property than any other activity ordinarily carried on with respect to a dwelling unit used solely for residential purposes.
2. Employees: The home-based business shall employ no more than two full time or part time employees on site other than the residents of the dwelling unit, provided that one off-street parking space is made available and used by each non-resident employee.
 3. Extent of Use: The home-based business shall not occupy more than 50 percent of the dwelling's gross floor area, which shall exclude the floor area of an attached or detached garage or an accessory dwelling unit.
 4. Signage: Each home-based business will be limited to a single, non-illuminated placard or nameplate with a maximum size of two square feet in area that must be affixed securely and flat against a wall of the home.
 5. Traffic Generation and Parking
 - The home-based business will be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.
 - The home-based business will not require the delivery of shipment of materials, merchandise, goods, or equipment by vehicles other than passenger motor vehicles, one ton step-up vans or similar-sized trucks that are less than seven tons gross vehicle weight.
 - Parking needs generated by a home-based business shall be satisfied with off-street parking. No more than two on-street parking spaces shall be used by the home-based business at any one time.
 6. Prohibited Home-Based Businesses/Home Occupations: The following activities are prohibited as home-based businesses, even if they meet the other requirements set forth in this section:
 - Animal hospitals.
 - General retail sales.
 - Mortuaries.
 - Repair shops or service establishments including major electrical appliance repair, motorized vehicle repair, and related uses.
 - Stables or kennels.
 - Welding, vehicle body repair, or rebuilding or dismantling of vehicles.

7. The home-based business will be operated in accordance will all applicable laws. If a state permit is required, such permit shall be obtained prior to beginning operation.

b. Home Occupations

Home occupations are permitted as an accessory use in residential units and accessory buildings provided that it is demonstrated that:

1. External Effects:

- (a) No alterations will be made to the building that changes the residential character of the dwelling to accommodate the home occupation other than signage permitted within this section.
- (b) The home occupation will not create any noise, odors, bright lights, electronic interference, storage or other external effects attributable to the home occupation shall be noticeable from any adjacent property or public right of way.
- (c) The home occupation shall be carried on entirely within the living quarters of the principal residential structure or within an accessory building in accordance with these zoning regulations. All "External Effects" criteria in items a. 1. (a), (b), (d), (e), (f), (g) and (h) of this subsection are applicable for the detached accessory building.
- (d) Mechanical or electrical equipment supporting the home occupation shall be limited to that which is self-contained within the structure and normally used for office, domestic or household purposes.
- (e) There will be no outdoor display or storage of goods, materials, merchandise or equipment related to the home occupation that is visible from the exterior of the dwelling unit other than motor vehicles used by the owner to conduct the occupation.
- (f) Parking or storage of heavy commercial vehicles, Class 4 and above (gross vehicle weight rating greater than 14,000 pounds) to conduct the home occupation is prohibited, unless allowed by the underlying zoning district. This excludes commercially utilized vehicles less than 14,000 pounds.
- (g) No home occupation shall discharge into any sewer, drainage way, or the ground any material which is radioactive, poisonous, detrimental to normal sewer plant operation, or corrosive to sewer pipes and installations.
- (h) The home occupation will not be more dangerous to life, personal safety or property than any other activity ordinarily carried on with respect to a dwelling unit used solely for residential purposes.

2. Employees:

- (a) The home occupation will be managed and owned by a person residing in the

dwelling unit.

- (b) The home occupation shall not employ on-site any person other than residents of the dwelling unit.
- 3. Extent of Use: The home occupation will not exceed more than 25 percent of the dwelling's gross floor area, which shall exclude the floor area of an attached or detached garage or an accessory building.
 - 4. Signage: Each home occupation will be limited to a single, non-illuminated placard or nameplate with a maximum size of two square feet in area that must be affixed securely and flat against a wall of the home.
 - 5. Traffic Generation and Parking
 - (a) The home occupation will be conducted so that it does not create parking or traffic congestion or otherwise unreasonably interfere with the peace and enjoyment of surrounding homes as places of residence.
 - (b) The home occupation will not require the delivery or shipment of materials, merchandise, goods or equipment by vehicles other than passenger motor vehicles, on ton step-up vans or similar-sized trucks that are less than seven tons gross vehicle weight.
 - (c) Parking needs generated by a home occupation shall be satisfied with off-street parking. No more than one vehicle used in connection with any home occupation shall be parked on the property. No more than two on-street parking spaces shall be used by the home occupation at any time.
 - 6. Prohibited Home Occupations: The following activities are prohibited as home occupations, even if they meet the other requirements set forth in this section:
 - (a) Animal hospitals.
 - (b) General retail sales.
 - (c) Mortuaries.
 - (d) Repair shops or service establishments including major electrical appliance repair, motorized vehicle repair, and related uses.
 - (e) Stables or kennels.
 - (f) Welding, vehicle body repair, or rebuilding or dismantling of vehicles.
 - 7. The home-based business will be operated in accordance will all applicable laws. If a state permit is required, such permit shall be obtained prior to beginning operation.

c. Permitted Accessory Uses: Residential Uses

Residential uses may include the following accessory uses, activities, and structures on the same lot.

1. Private garages and parking for the residential use.
2. Recreational activities and uses by residents.
3. Home occupations, subject to Section 611(a) of these regulations.
4. Residential convenience services for multi-family uses or mobile home parks.
5. Garage sales, provided that the frequency of such sales at any one location shall not exceed one during a continuous, two month period or four sales during any twelve month period.

d. Permitted Accessory Uses: Civic Use Types

Guidance Services and Health Care use types are permitted in the LI Limited Industrial zoning districts only as accessory uses to a primary industrial use.

e. Permitted Accessory Uses: Other Use Types

Other use types may include the following accessory uses, activities, and structures on the same lot:

1. Parking for the principal use.
2. Manufacturing or fabrication of products made for sale in a principal commercial use, provided such manufacturing is totally contained within the structure housing the principal use.
3. Services operated for the sole benefit of employees of the principal use.

f. Permitted Accessory Uses: Agricultural Use Types

1. Garden centers and roadside stands, subject to the regulations set forth in Section 6-2(a) (2).
2. Other uses and activities necessarily and customarily associated with the purpose and functions of agricultural uses.
3. Other uses and activities deemed appropriate by the granting of a Conditional Use Permit.

612 Supplemental Use Regulations: Outdoor Storage outside of the LI and GI Zoning Districts

Outdoor storage is prohibited in all zoning districts except the GI General Industrial zoning district, except as provided in this section.

a. Agricultural Use Types

Outdoor storage is permitted only where incidental to agricultural uses.

b. Civic Use Types

Outdoor storage is permitted only where incidental to Maintenance Facilities.

c. Commercial Use Types

1. Outdoor storage is permitted where incidental to Agricultural Sales and Service; Auto Rentals and Sales; Construction Sales; Equipment Sales and Service; Stables and Kennels; and Surplus Sales.
2. Outdoor storage is permitted where incidental to Auto Services, Equipment Repair, and Body Repair, provided that such storage is completely screened at property lines by an opaque barrier, as set forth in Section 805. This provision shall apply to any Auto Services, Equipment Repair, or Body Repair use established after the effective date of this Ordinance.

d. Industrial and Miscellaneous Use Types

1. Outdoor storage is permitted where it is incidental to industrial uses within the AG and LI zoning districts. Any such outdoor storage is subject to screening requirements set forth in Article Eight.
2. Outdoor storage is permitted where incidental to landfills.

613 Supplemental Use Regulations: Temporary Uses

a. Purpose

These provisions are intended to permit occasional, temporary uses and activities, when consistent with the objectives of the Zoning Ordinance and compatible with surrounding uses. They are further intended to prevent temporary uses from assuming the character of permanent uses.

b. Temporary Use Types

The following temporary uses are permitted, subject to the regulations contained within these sections:

1. Model homes or apartments, if contained within the development to which they pertain.
2. Development sales offices. Such offices may remain in place until 90% of the lots or units within the development are sold and may not be located within a mobile home or manufactured home/structure.
3. Public assemblies, displays, and exhibits.
4. Commercial circuses, carnivals, fairs, festivals, or other transient events, provided that events are located on property owned by the sponsoring non-profit organization, or are located within a DC or more intensive zoning district.
5. Outdoor art shows and exhibits.
6. Christmas tree or other holiday-related merchandise sales lots provided that such facilities are not located in a residential zoning district.
7. Construction site offices, if located on the construction site itself.
8. Outdoor special sales, provided that such sales operate no more than three days in the same week and five days in the same month; and are located in commercial or industrial zoning districts.
9. Construction Batch Plants in the GC and LI District , provided that:
 - (a) No plant may be located within 600 feet of a developed residential use, park, or school.
 - (b) The facility is located no more than one mile from its job site. The Zoning Administrator may extend this distance to two miles, if such extension avoids use of local streets by plant-related vehicles.
 - (c) Hours of operation do not exceed 12 hours per day.
 - (d) The duration of the plant's operation does not exceed 180 days.
10. Additional temporary uses that the Zoning Administrator determines to be similar to the previously described uses in this section.

c. Required Conditions of All Temporary Uses

1. Each site shall be left free of debris, litter, or other evidence of the use upon its completion or removal.
2. The Zoning Administrator may establish other conditions which he/she deems necessary to

ensure compatibility with surrounding land uses.

d. Permit Application and Issuance

1. An application to conduct a temporary use shall be made to the Zoning Administrator and shall include at a minimum a description of the proposed use; a diagram of its location; information regarding hours and duration of operation; and other information necessary to evaluate the application.
2. The Zoning Administrator may authorize a temporary use only if he/she determines that:
 - (a) The use will not impair the normal operation of a present or future permanent use on the site.
 - (b) The use will be compatible with surrounding uses and will not adversely affect the public health, safety, and welfare.
3. The duration of the permit shall be explicitly stated on the permit.
4. Decisions of the Zoning Administrator may be appealed to the Board of Adjustment.

SECTION II. REPEAL OF CONFLICTING ORDINANCES. That the original Article Six of the Fremont Zoning Ordinance, Ordinance 3939, and any other ordinances of the City of Fremont in conflict herewith are hereby repealed.

SECTION III. PUBLICATION IN PAMPHLET FORM. This Ordinance shall be published in pamphlet form and distributed as a City Ordinance.

SECTION IV. EFFECTIVE DATE. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

PASSED AND APPROVED THIS _____ DAY OF _____

SCOTT GETZSCHMAN, MAYOR

ATTEST:

KIMBERLY VOLK, MMC
CITY CLERK

STAFF REPORT

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: KIMBERLY VOLK, CITY CLERK/TREASURER

DATE: OCTOBER 10, 2014

SUBJECT: BOARD OF ADJUSTMENT

Recommendation: none

Background: Mayor makes recommendations for appointments to Boards and Commissions.

#20